

Public Opinion and Interest Group Politics

South Africa's Missing Links?

Edited by Heather A. Thuynsma



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Edited by:
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Heather Thuynsma
Department of Political Sciences
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Preface

The Department of Political Sciences at the University of Pretoria is currently one of the few tertiary institutions in South Africa to study and teach aspects of campaign and electoral politics. Since 2009, the Department, through Heather Thuynsma, has researched how political and advocacy campaigns promote and deepen South Africa's democracy, and encourage public participation beyond the act of voting; and whether and how these campaigns shape public opinion and policy.

In support of these efforts, the Department, in partnership with the Konrad Adenauer Stiftung, hosted two workshops in 2009 and 2010 to investigate the role of public-opinion and interest-group politics in South Africa. To contextualise interest groups and the theoretical and practical components of their campaigns, authors from the US, Germany, Namibia and South Africa were invited to participate in each of these workshops. This book uses these discussions as a guide and explores the successes and challenges facing South African interest groups, and highlights their advocacy efforts.

In essence, this book probes a sector of our political life that is seldom debated. It provides a foundation from which to examine and, crucially, cultivate a healthy and effective public debate that will improve the quality of democracy in South Africa.

The observations, opinions and insights offered by the authors of this volume now stand to be tested, in a manner of speaking, during the 2011 Local Government Elections, a task we leave for now to you, the reader, but also one we hope to take up in a future volume.

Maxi Schoeman
Head of Department: Political Sciences
University of Pretoria

Foreword

Free and fair elections and advocacy of interest groups within political parties or as civil society based organisations are fundamental elements of any democratic system. Furthermore, political pluralism and public participation are characteristics of an open and people centred democracy. That is exactly what South Africans prize as their vibrant democracy. It is, therefore, necessary for politicians to listen to peoples' voices and transform them into political concepts followed by parliamentary debate and law. This is challenged, however, by the following: firstly, it is difficult and requires professional methodologies to reliably find out what peoples interests are and how they are averaged across the population. On the other hand, the government, political leaders or political parties might ignore manifest public interests.

The importance of the role of political parties, as the core element of democratic decision-making structures of representative democracy, should be acknowledged. Yet, a necessary complement is the existence of interest groups and their issue centred advocacy campaigns. Such campaigns on housing, health or environmental subjects should flow into a broad public participation, which influences the political agenda. The combination of both would not only stimulate the identification of the people with their democratic system, it would solidify the political culture and could be instrumental to close "South Africa's Missing Links".

For more than 40 years, the Konrad-Adenauer-Stiftung has been committed to promoting democracy as well as its values, processes and institutions all over the world. We accepted, therefore, with pleasure the invitation of the Department of Political Sciences at the University of Pretoria to be part of this important project. The publication is a rich source for researchers, politicians, civil society and political party representatives. It invites further applied and comparative studies and will be a useful tool for university students.

Dr Werner Böhler
Konrad Adenauer Foundation
Johannesburg

Abbreviations and acronyms

AA	–	Affirmative action
AARP	–	American Association for Retired Persons
ACDP	–	African Christian Democratic Party
ACCESS	–	Association for Children's Entitlement to Social Security
ACT UP	–	AIDS Coalition to Unleash Power
AIPAC	–	American Israeli Public Affairs Committee
AMD	–	Acid mine drainage
ANC	–	African National Congress
ANCYL	–	ANC Youth League
ARK	–	Absolute Return for Kids
ARV	–	Anti-retroviral
AsgiSA	–	Accelerated and Shared Growth Initiative for South Africa
BCRA	–	Bipartisan Campaign Reform Act
BEE	–	Black Economic Empowerment
BIG	–	Basic Income Grant
CALS	–	Centre for Applied Legal Studies
CBO	–	Community-based Organisation
CDE	–	Centre for Development and Enterprise
CGE	–	Commission on Gender Equality
CIPS	–	Centre for International Political Studies
CNEP	–	Comparative National Elections Project
CoD	–	Congress of Democrats
COPE	–	Congress of the People
Cosatu	–	Congress of South African Trade Unions
CPF	–	Community Policing Forum
CRU Programme		Community Residential Units Programme
CSG	–	Council of State Governments
CSG	–	Child Support Grant
CSIR	–	Council for Scientific and Industrial Research
CVH	–	Community Voices Heard
DA	–	Democratic Alliance
DAG	–	Development Action Group
DoM	–	Department of Mining
DP	–	Democratic Party
DWA	–	Department of Water Affairs
EADI	–	European Association of Development Research and Training Institutes
EMP	–	Environmental Management Programme
ESN	–	External Social Network
ESOMAR	–	European Society of Opinion and Marketing Research
EU	–	European Union
FDA	–	Food and Drug Administration
FEC	–	Federal Election Commission
FECA	–	Federal Election Campaign Act
FF+	–	Freedom Front Plus
FNB	–	First National Bank
FSE	–	Federation for a Sustainable Environment
GCIS	–	Government Communication and Information System
GEAR	–	Growth, Employment and Redistribution
GIS	–	Geographic Information Systems
GIZ	–	Deutsche Gesellschaft für Internationale Zusammenarbeit
GNU	–	Government of National Unity
HIV	–	Human Immunodeficiency Virus
ICASA	–	Independent Communications Authority of South Africa

ID	–	Independent Democrats
IDASA	–	Institute for Democracy in South Africa
IEC	–	Independent Electoral Commission
IFP	–	Inkatha Freedom Party
IPFW	–	Indiana University–Purdue University, Fort Wayne
ISN	–	Internal Social Network
ISS	–	Institute for Security Studies
KZN	–	KwaZulu-Natal
LRC	–	Legal Resources Centre
LSM	–	Living Standards Measure
MDG	–	Millenium Development Goal
MEC	–	Member of Executive Committee
MF	–	Minority Front
MNC	–	Multi-national corporation
MP	–	Member of Parliament
MPRDA	–	Mineral and Petroleum Resources Development Act
NDR	–	National Democratic Revolution
NEC	–	National Executive Committee
NEDLAC	–	National Economic Development and Labour Council
NEMA	–	National Environmental Management Act
NEPRU	–	Namibian Economic Policy Research Unit
NFF	–	Non-profit Finance Fund
NGO	–	Non-governmental Organisation
NNP	–	New National Party
NNR	–	National Nuclear Regulator
NP	–	National Party
NRA	–	National Rifle Association
NUNW	–	National Union of Namibian Workers
NWA	–	National Water Act
OECD	–	Organisation for Economic Co-operation and Development
OPO	–	Ovamboland People's Organisation
OSF-SA	–	Open Society Foundation in South Africa
PAC	–	Pan Africanist Congress
PACs	–	Political Action Committees
PAN	–	National Action Party
PBO	–	Public benefit organisation
POATIA	–	Promotion of Access to Information Act
PR	–	Proportional Representation
PRD	–	Party of the Democratic Revolution (<i>Partido de la Revolución Democrática</i>)
PRI	–	Institutional Revolutionary Party
PRIs	–	Programme-related Investments
RDP	–	Reconstruction and Development Programme
RDP	–	Rally for Democracy and Progress
SABC	–	South African Broadcasting Corporation
SADC	–	Southern African Development Community
SACP	–	South African Communist Party
SAMRA	–	South African Marketing Research Association
SANAC	–	South African National AIDS Council
SANES	–	South African National Election Study
Sangonet	–	Southern African NGO Network
SEGUE	–	Sustainable Enhancement Grant
SNS	–	Social networking site
SPII	–	Studies in Poverty and Inequality Institute
SWAPO	–	South-West Africa People's Organisation

TAC	–	Treatment Action Campaign
TANF	–	Temporary Assistance for Needy Families
UCDP	–	United Christian Democratic Party
UDM	–	United Democratic Movement
UN	–	United Nations
VAP	–	Voting Age Population
WWF	–	World Wildlife Fund

Author biographies

Ann Bernstein

Ms Bernstein is the founding director of the Centre for Development and Enterprise (CDE). She was educated at the University of the Witwatersrand and the University of California, Los Angeles. She was awarded an Ernest Oppenheimer Memorial Trust Fellowship to study in the US.

The first part of Ms Bernstein's professional career was spent working for the Urban Foundation, a privately funded NGO that was instrumental in using the power and influence of the corporate world to persuade the apartheid government to reform key aspects of its approach to Black urbanisation. In 1989, she was appointed an executive director of the Foundation and served in that capacity for five years until its closure in early 1995. In 1991, she was a Visiting Fellow at Peter Berger's Institute for the Study of Economic Culture at Boston University. In 1994, she was appointed to the Development Bank Transformation Team and subsequently to the Transitional Board of the Development Bank of Southern Africa. From 1997 to 2001 she was a Member of the Board of the Development Bank. In 2005, she was selected as a Reagan-Fascell Fellow at the National Endowment for Democracy in Washington DC, and in 2007 she was appointed to the board of the Brenthurst Foundation, which focuses on African economic development.

Ms Bernstein has published extensively on business, democracy, development and policy-making issues in South Africa, including the books *Migration and Refugee Policies* (with M. Weiner, 1999), *Business and Democracy: Cohabitation or Contradiction?* (with P.L. Berger, 1998), and *Policy Making in a New Democracy: South Africa's Challenges for the 21st Century*. She has been a Visiting Lecturer at Wits University and subsequently a Visiting Professor at the University of Cape Town. Ms Bernstein's latest book, *The Case for Business in Developing Economies*, was launched in February 2010.

Adrian Di Lollo

Mr Di Lollo has worked in the social development and public policy fields in Australia, the US, the UK and South Africa in various capacities including civil servant, NGO staff member and private consultant. His background and primary areas of interests include low-cost housing and urban development, social security (income support), community development, HIV/AIDS, participatory democracy, immigration issues, local government, governance issues and social movements. Now a permanent resident of South Africa, Mr Di Lollo works as a social development consultant for NGOs, government departments, parastatals and private sector businesses. Since the latter part of 2010 he was particularly focused on evaluating the impact of social and economic initiatives, organisational transformation and social security reform.

Mr Di Lollo holds a Bachelor of Social Work degree from Curtin University in Perth, Australia, a Masters in Social Work Administration from Fordham University

in New York and Masters (MPhil) in Public Policy from the University of Cape Town. He has an interest in higher education and has worked as a part-time university lecturer in social policy. Having completed his certification in fieldwork supervision (City University of New York) in 2003, Mr Di Lollo has provided practicum supervision for Masters level students in such fields as Urban Studies, Community Social Work and International Development.

Rick Farmer

Dr Farmer is the Director of Committee Staff at the Oklahoma House of Representatives, a Fellow at the Ray C. Bliss Institute of Applied Politics at the University of Akron, a Henry Toll Fellow at the Council of State Governments, and President of the Oklahoma Political Science Association.

Dr Farmer holds a PhD from the University of Oklahoma in the fields of US Government, Public Administration, Comparative Politics and Statistical Research Methods. He has also attended the Summer Institute in Political Psychology at Ohio State University and has a Bachelor of Arts in Political Science from Northeastern State University. He has presented numerous conference papers, offered his opinions on US television, and published articles and commentaries in academic publications including the *Social Science Quarterly*, *Oklahoma Politics*, *Spectrum* and *Campaign and Elections Magazine*. Dr Farmer has also co-edited the following publications: *The Test of Time: Coping with Legislative Term Limits*; *The State of the Parties: The Changing Role of Contemporary American Parties*, 4th ed., *The Elections of 2000: Politics, Culture and Economics in North America*, and *Legislating Without Experience: Case Studies in State Legislative Term Limits*.

Nikki Funke

Ms Funke is a Senior Researcher in the Natural Resources and Environment Unit at the Council for Scientific and Industrial Research (CSIR) and holds a Masters degree in Political Science from the University of Pretoria. Nikki specialises in researching water and environmental policy, political environments and the science-policy interface.

Ms Funke has managed and/or worked on a variety of research projects at the CSIR. These include understanding the uptake of research and development information in South Africa; the European Union Live Diverse project that focuses on the relationship between livelihoods and biodiversity, examining how best to ensure uptake of the newly developed National Freshwater Ecosystem Priority Areas; consultancy work for Rand Water regarding environmental and mining legislation; and a Water Research Commission Project focusing on developing scenarios to understand the Water Institutional Landscape by 2025.

Ms Funke has one book and eight book chapters and scientific articles to her name. She is currently embarking on a PhD through the Vrije Universiteit, Amsterdam.

Christine Gioia

Ms Gioia is a recent Masters graduate from King's College, London. She holds a Master of Arts (Hons) in Environment and Development, complemented with an undergraduate degree (Hons) from the University of Pretoria in Marketing and Communications. Christine's academic specialisations broadly include international and southern African political ecology, international water management and politics, and corporate social responsibility.

Ms Gioia completed a three-month visiting-researchers post at the CSIR while simultaneously researching issues regarding Acid Mine Drainage for her Masters Dissertation at King's College in London.

Mari Harris

A renowned and highly respected political analyst, Ms Harris is currently Ipsos Markinor's Managing Executive for Business Development and Public Affairs. Prior to 1989 when she joined this organisation, Ms Harris honed her sociopolitical research skills at the Institute for Political and Africa Studies at the University of Potchefstroom as well as at the business Strategic Concepts. She holds a degree in Communication Studies and a postgraduate degree in International Politics. A frequent speaker at international conferences and a member of various associations, Ms Harris's projects are infused with expert knowledge and skill.

Jason Johnson

Dr Johnson is a professor of Political Science and Communications at Hiram College in Northeast Ohio. He is also a graduate of the University of Virginia and earned his PhD in Political Science at the University of North Carolina at Chapel Hill. He has been active in politics for years and has worked as a campaign manager and assistant slate director in House and Senate races in Virginia, Maryland and South Carolina. Dr Johnson's political expertise also includes work on the 2001 mayoral race in London, England; as an international election observer during Mexico's turbulent presidential election in 2006 and in the 2009 mid-term elections; and as an honoured guest of the Independent Electoral Commission (IEC) in Johannesburg, South Africa during the parliamentary elections in 2007.

Dr Johnson works regularly as a political commentator and contributor for radio, television and newspaper outlets. His research focuses on campaign strategy and communication, highlighting the differences between theoretical and practical approaches to running successful political campaigns. His forthcoming publication *One Day to Sell: Campaign Managers in the Modern Age* (Westview Press/Perseus Books), published as part of the Transforming American Politics series, was released in 2010.

Robert Mattes

Prof. Mattes is a professor of Political Studies, general postgraduate convenor and programme convenor of the Political Science postgraduate programme at the University of Cape Town. Over the past decade, his research has focused on democratisation in South Africa and across the African continent, focusing specifically on the role of public attitudes, voting and elections.

He is the co-author (with M. Bratton and E. Gyimah-Boadi) of *Public Opinion, Democracy and Market Reform in Africa* (New York: Cambridge University Press, 2005) and author of *The Election Book: Judgement and Choice in the 1994 South African Election* (Cape Town: Idasa, 1996). He has also authored or co-authored articles in leading international journals such as the *American Journal of Political Science*, *British Journal of Political Science*, *World Development*, *Journal of Democracy*, *Democratization*, and *Party Politics*. He holds a PhD in Political Science from the University of Illinois, Urbana-Champaign.

Prof. Mattes is also involved in a range of ongoing data collection projects in which interested postgraduate students might be able to work and/or use data for their own research. He is co-founder and Deputy Director of the *Afrobarometer*, a regular survey of Africans' attitudes toward democracy, markets and civil society conducted in up to eight countries across the continent. He is also a Principal Investigator in the African Legislatures Project, which aims to collect systematic data on the powers and resources of African parliaments and the attitudes and values of members of African parliaments.

Prof. Mattes is also the South African principal investigator of the Comparative National Elections Project, which conducts post-election surveys in over two dozen countries across the world. As part of this project, the South African team conducted a post-election survey in 2004, as well as a systematic content analysis of news media coverage of the campaign for the 2004 election. A wide array of data from these projects is or will be available to students and other scholars through the DataFirst Resource Centre.

Henning Melber

Dr Melber arrived in Namibia (then South West Africa) in 1967 as the son of German emigrants. He joined the South West Africa People's Organisation (SWAPO) in 1974. He graduated in Political Science in 1977 and received a PhD in the same discipline at the University of Bremen, where he also obtained a *venia legendi* (Habilitation/Associate Professor status) in Development Studies in 1993. He was Director of the Namibian Economic Policy Research Unit (NEPRU) in Windhoek (1992–2000), the Research Director at the Nordic Africa Institute in Uppsala, Sweden (2000–2006), and is currently the Executive Director of the Dag Hammarskjöld Foundation. He served as vice-president of the European Association of Development Research and Training Institutes (EADI) between 2002 and 2005, and in 2008 became a member of its Executive Committee.

Dr Melber has published widely in the area of African Studies and on racism and solidarity, as well as liberation movements (in particular in southern Africa and Namibia). He is co-editor of the *Africa Yearbook* (published since 2005), and is managing co-editor of the scholarly journal *Africa Spectrum*. He is also a Research Associate in the Department of Political Sciences at the University of Pretoria.

Lufuno Muthambi

Mr Muthambi obtained his Secondary Teacher's Diploma from Venda College of Education in 1986 and started his teaching career at Mphephu High School. In 2003, he joined Nakisani Peace and Human Rights Institute as a Director for three years. He was actively involved in community development and served as Secretary and Chairperson of the Civic Organisation and Secretary of the Community Policing Forum (CPF) for Siloam Police Station and Vhembe Area Board, servicing twenty police stations. He also served on various steering committees of various projects in his area. In 2005, Mr Muthambi started working as a Sales Consultant for FNB, after which he joined the Department of Water Affairs and Forestry for the 2020 Vision for Water and Sanitation Education Programme, implementing the Baswa le Meetse and the South African Youth Water Prize projects.

In 2008, he joined the Development Action Group in Cape Town where he leads and implements innovative land, infrastructure, housing and community facility projects, and conceptualises formal training courses. Participation in lobbying and advocacy programmes, and keeping up to date with trends in the development and housing sectors, are essential aspects of his work, as is identification of blockages and possible solutions in the policy environment. Mr Muthambi is trained in a range of issues including conflict management and resolution, human rights, restorative justice, lobbying, advocacy, communication, project management, HIV/AIDS, integrated development planning, financial management and facilitation. Recently, Mr Muthambi obtained certification in the Housing Policy Development and Management course through Wits University.

Shanna Nienaber

Ms Nienaber works in research at the Natural Resources and Environment Unit at the Council for Scientific and Industrial Research. She has an Honours degree in International Relations from the University of Pretoria. Her research specialisation is broadly in the field of hydro-politics, with a particular focus on trans-boundary water governance and issues relating to the science-policy interface.

Since starting to work at the CSIR in 2009, Ms Nienaber has been involved in a number of research projects. She has contributed to a GIZ-funded initiative tasked with developing tools and principles for improving the functioning of river basin organisations in the Southern African Development Community (SADC), has worked on projects which aim to facilitate better understanding of end-user and policy-uptake

of science, has worked with the Akili initiative aiming to build complexity thinking into responses to environmental problems, and has worked on a Water Research Commission Project focusing on developing scenarios to understand the Water Institutional Landscape by 2025.

Ms Nienaber is published in the *South African Journal of Science and Waterwheel*. She is currently engaged in a Masters in International Relations through the University of Pretoria, exploring water governance issues in the SADC.

Costas Panagopoulos

Dr Panagopoulos is Assistant Professor of Political Science and the Director of the Center for Electoral Politics and Democracy and the graduate programme in Elections and Campaign Management at Fordham University. He is also a research associate at the Institution for Social and Policy Studies at Yale University, where he completed a postdoctoral fellowship in 2006. Dr Panagopoulos previously founded and directed the Master's Programme in Political Campaign Management in the Department of Politics at New York University. He is a leading expert on campaigns and elections, voting behaviour, public opinion and campaign finance, and was part of the Decision Desk team at NBC News during the 2006 election cycle. A former candidate for the Massachusetts State Legislature in 1992, Dr Panagopoulos also offers courses on campaign management and strategy, message development and political communication.

The American Political Science Association selected Dr Panagopoulos as a Congressional Fellow during 2004 and 2005, and he served in the office of Senator Hillary Rodham Clinton (D-NY). He has also been a Visiting Research Scholar at the Institute for Politics, the Internet and Democracy at the Graduate School for Political Management at George Washington University and is a Research Fellow at the Center for Congressional and Presidential Studies at American University, both in Washington DC. Previously, Dr Panagopoulos was Visiting Scholar at the Institute for Social and Economic Research and Policy at Columbia University and Scholar-in-Residence in the Department of Government at American University. Dr Panagopoulos is President/CEO of XVOTES, a New York-based political strategy firm. He was elected President of the American Association of Political Consultants' Mid-Atlantic chapter in 2003. He has also developed expertise in international political consulting and has worked as a consultant in the Electoral Assistance Division at the United Nations.

He received his undergraduate degree in Government, *magna cum laude*, from Harvard University, and earned his doctoral degree in Politics from New York University. Dr Panagopoulos has authored several scholarly works that have been published in *Public Opinion Quarterly*, *Presidential Studies Quarterly*, *PS: Political Science and Politics*, *Women & Politics*, the *Journal of Political Marketing*, and *Social Science Computer Review*. He is Contributing Editor to the *Campaigns & Elections* magazine and Senior Editor

of the *Journal of Political Marketing*. He has provided extensive political analysis and commentary for various print and broadcast media outlets as well.

Siegmar Schmidt

Prof. Schmidt is a Professor of International Relations and Comparative Government at the University of Koblenz-Landau, Campus Landau. He received his PhD from Munich University in 1992. His main areas of research include development policies, European integration, European foreign policy, German foreign policy, political transitions and economic transformations in Africa and Eastern Europe. Prof. Schmidt has been an Associate Professor for International Relations at the University of Trier in the chair of Hanns W. Maull from 1992 to 1998, and during 2003 to 2004 was the Willy Brand Chair of the German Academic Exchange Service (DAAD) at the University of the Western Cape, South Africa. In 2009, Prof. Schmidt completed a visiting Professorship at Pitzer College, Claremont Colleges, Political Studies Field Group. He is the author of various publications.

Wadim Schreiner

Mr Schreiner is the Managing Director of Media Tenor South Africa and Marketing Director for Media Tenor International, which focuses on quantitative media content analysis and consults for leading corporations worldwide. Mr Schreiner is also a member of the Council for Communication and Education in Africa, an advisory board member to *Convergence* magazine and specialises in studies on agenda setting and international news flow. He holds an Honours degree in German Literature from the University of South Africa and an MA in Business Communication from the University of Potchefstroom.

Collette Schulz Herzenberg

Dr Schulz Herzenberg joined the Institute for Security Studies as a Senior Researcher in July 2008. She previously held a lectureship in the Political Studies Department at the University of Cape Town, and she has worked as a political researcher and analyst for the Institute for Democracy in South Africa and the Justice Committee in the National Parliament. She also worked as an elections analyst and commentator for the SABC during the 2009 elections.

Dr Schulz Herzenberg holds a PhD in Politics from the University of Cape Town, specialising in South African elections and voting behaviour. Other qualifications include an MSc in Democratic Governance and Political Ethics from the University of Cape Town and a BA (Hons) in Politics of Africa and Asia from the School of Oriental and African Studies at the University of London. Her published work includes chapters in *The State of the Nation 2007* (HSRC) and in Piombo and Nijzink, *The Third Test of Majority Rule: South Africa's 2004 Elections* (Palgrave). Her focus areas are civil society and democracy, corruption and governance.

Heather A. Thuynsma

Ms Thuynsma holds a BA and a BA Honours degree from the University of the Witwatersrand. She received her MA in Applied Politics from the University of Akron, and attended the Women's Campaign School at the Yale Law School to complete her specialisation in Fundraising and Political Campaign Strategy. She spent 18 years working in the South African and US non-profit sectors managing fundraising, local and international conferences, event logistics, diplomatic protocol and media relations. She worked as a specialist election monitor during South Africa's first democratic elections in 1994, has coordinated and fundraised for political campaigns at various levels of government in Ohio, and has taught campaign management, fundraising strategy and civic and human rights education in both the US and South Africa.

Ms Thuynsma has published articles on human rights education for the UN and on South Africa's political campaigns and electoral strategy for the Electoral Institute of South Africa. She is currently the Chief Executive Officer of her own consulting firm Thuynsma & Associates, and is a Research Associate and Adjunct Professor at the University of Pretoria's Department of Political Sciences.

Anzabeth Tonkin

Ms Tonkin holds an Honours degree in Psychology from the University of Stellenbosch and a Masters in City and Regional Planning from the University of Cape Town. In 2000, she was appointed in the City of Cape Town's Spatial Planning Branch as part of the Wetton-Lansdowne-Philippi Corridor Project. She later coordinated the Greater Philippi Urban Renewal Strategy and gained experience in interfacing between communities and local government.

Ms Tonkin's skills were also honed in environmentally sustainable housing while working on the Lynedoch EcoVillage project outside Stellenbosch from July 2003 to May 2004. In 2004, she was appointed as researcher at the Development Action Group (DAG), a Cape Town-based NGO. She is the author of the book *Sustainable Medium-density Housing: A Resource Book (2008)*, which puts forward findings of DAG's study into the conditions required for developing sustainable human settlements. During her time at DAG, she worked as programme coordinator of DAG's medium-density impact area, with particular focus on advocating and lobbying for affordable housing on well-located land for low-income households. She coordinated the Rainbow Housing Co-operative project for domestic workers where she provided strategic input, developed capacity of committee and cooperative members, and supported the cooperative in their interactions with all spheres of government and other role players.

Ms Tonkin has extensive experience in designing and facilitating DAG's training programmes and workshops. She has gained wide-ranging experience in critique, analysis and formulation of public policies and in advocacy and lobbying strategies informed by policy, grounded in community project experience. She was also part of the Reference Group and team responsible for the formulation of Isidima, the West-

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Introduction

Heather A. Thuymsma

In more developed democracies, such as the US and Germany, interest groups both shape and promote public opinion. Regrettably, this is not always true in South Africa's nascent system. This anthology tries to understand why interest groups fail to affect or advance public opinion in South Africa and then suggests how interest groups can redress the situation.

Generating and measuring public sentiment requires organisations that advocate for and protect an individual's right to form and express an opinion and neutral tools and organisations to measure these opinions. In most developed democracies, interest groups provide both the stimulus and impetus for each of these tasks.

Interest groups, also known as advocacy groups, shape public opinion by trying to elect and lobby lawmakers that favour their positions through advocacy and/or lobbying campaigns. Their advocacy campaigns are generally issue-based, such as campaigning on behalf of HIV-positive pregnant women for the right to access anti-retroviral drugs. But during an election, 'issue advocacy' can have a very different meaning. For example, US electoral law, as both Mike Wolf and Costas Panagopoulos explain in their chapters, distinguishes between interest groups who engage in 'issue advocacy' and those whose work is 'express advocacy' – which 'explicitly tells an audience to vote for or against a specific candidate'. Issue advocacy is implicit and does not include 'an actionable request'.¹ Ultimately, no matter where or what form they take, advocacy campaigns seek to positively or negatively influence election cycles and public policy design and implementation.

Generally, advocacy campaigns focus on one of four areas, and in larger advocacy campaigns these areas become different strategic stages. For instance, some campaigns focus on promoting and framing an idea that is largely unknown and therefore not publically debated. Here advocacy efforts tend to publicise the idea's merits and challenges to build a support base and to persuade policy and decision makers to pursue it.

Other campaigns undertake to clarify and argue a position by presenting relevant research and publicly responding to critics, either through the media or in person. Still others attempt to enrich public debate by encouraging relevant constituencies and government officials to discuss specific problems and generate clear and pertinent solutions.

Once legislation is passed, interest groups often launch a campaign to influence how the law is implemented. Normally, individual government departments and regulatory bodies make these decisions but they do require and often solicit non-partisan assistance. In the US, organisations that failed to sway legislators before a law

was passed typically use this arena to influence how the rules governing the legislation are written. Unfortunately, despite its importance, most advocacy organisations do not spend time or resources in this ‘regulatory realm’, effectively discounting the role implementation plays in the public policy process.

In South Africa, like most democracies around the world, political parties are the most prevalent and powerful interest groups because of the campaigns they run during election cycles. However, their influence in South Africa is somewhat skewed because they themselves are influenced by a specific political history and culture, the media that cover them, the donors that support them and, as several authors in this book explain, the general lack of pressure from other interest groups.

This book introduces the study of interest groups and the affect they have on public opinion in South Africa. It is divided into three parts, and in each part the authors use a variety of theoretical approaches together with their vast experience of issue-based advocacy and lobbying, to draw their conclusions and suggest where these groups can be more effective.

The first three chapters in **Part 1: Public opinion and interest-group politics around the world: Advice for South Africa** outline why interest groups that shape public opinion through advocacy campaigns are and have been important in the more developed democracies of the US and Germany. In their respective chapters, Michael Wolf and Siegmard Schmidt also highlight the potentially corruptive influence these groups and the resources they control can have on democratic politics. Indeed, Michael Wolf describes the inherent distrust Americans have of interest groups – ‘the popular fear is that interest groups lead public policy away from egalitarianism and toward policies that favour the powerful’.² Nevertheless, these groups help create a vibrant democratic society, which is why Wolf discusses how US law tries to both respect and restrict their influence.³

The vast sums spent by interest groups are of particular concern and US legislators have enacted a series of campaign finance laws to preserve the system’s transparency. In his chapter, Costas Panagopoulos assesses this legislation, including the 2010 Supreme Court ruling on *Citizens United v. Federal Election Commission*, and illustrates its legal and political implications using California’s 2008 Ballot Initiative, known as Proposition 8.

Americans are not, however, the only society sceptical of the groups that influence their government. Indeed, surveys show that even governments with fundamentally different campaign finance controls are distrusted by a large proportion of their citizens.⁴ Germany, for example, has a historical aversion to pluralistic politics and the divisiveness it creates. This is why various German governments have regulated the interplay between political parties and interest groups using a corporatist framework. In his chapter, Siegmard Schmidt defines pluralism and corporatism and profiles how interest groups engineer their success within these confines. Ultimately, he questions whether, in the German system, different interests receive equal representation and

‘... whether the public’s interest is sufficiently respected’.⁵ Drawing from the US and German experience, Schmidt ends his chapter with a few general pointers that South African interest groups could use to protect and promote the common good.

The next seven chapters form **Part 2: Public opinion and interest-group politics in South Africa: Comparing perspectives**. Here the authors analyse the period between the 1994 watershed elections and the 2009 national and provincial election cycle, in order to contextualise South Africa’s political culture, structure and psyche.

Public opinion aggregates a society’s individual attitudes or beliefs. Assessing such opinion usually involves surveying adult populations and, during election cycles, registered voters probing how individual opinions on an issue or a variety of issues are related. Public opinion tends to become more crucial during political elections, particularly those conducted at the national level, where the data usually reflects the society’s political psyche, disposition and often voters’ behaviour. Curiously, the latter is not necessarily true in South Africa. Between 1994 and 2009, public opinion polling showed that South Africans were growing increasingly despondent about poor service delivery, rising crime statistics, blatant corruption and burgeoning unemployment. Yet the ruling ANC continued to dominate the national, provincial, and local government elections despite using campaigns that simply rehashed the same, largely unfulfilled, promises.

In an attempt to quantify this trend, Paulus Zulu unpacks South Africa’s political psyche to see if the country’s tumultuous history, culture of mutual distrust and one-dimensional political parties are to blame. Gerhard Wolmarans adds another dimension to Zulu’s study by specifically analysing the ANC’s disposition and its role as the ruling party. Wolmarans’ findings, that the party’s liberation role and political culture naturally push its leaders towards providing ‘a better life for all’,⁶ show that the party does have good political intentions. However, this same character also dissuades advocacy and civil association, leading Wolmarans to conclude that ‘those who want to enter into the public arena will ... face an ANC’ that is reluctant to hear them, ‘especially ... those who are not willing to ... follow the lead of the government’.

Public opinion polling data seem to confirm these findings but because these surveys tend to ask abstract questions, the data they yield are often criticised for being ephemeral and inconsistent. To counter this, most surveys, including those conducted by Ipsos Markinor and Afrobarometer,⁷ use a variety of techniques. Mari Harris explains the challenges faced by organisations that measure public opinion in South Africa, and outlines the contextualised methodology Ipsos Markinor uses in its surveys. She acknowledges that ‘... public opinion research is a valuable and almost indispensable tool for operational and strategic planning for both government and businesses ...’, even though they only capture society’s perceptions within a specific period.

This begs the question: given their importance, do South African public opinion polls really determine the campaigns that interest groups run?

Collette Schulz Herzenberg, Wadim Schreiner and Robert Mattes, for instance, examine the various election campaigns political parties ran from 1994 to 2009. In South Africa, elections happen every five years with the national and provincial poll occurring concurrently using a party list proportional representation system.⁸ The municipal or local government elections happen two years after the national and provincial vote, using a hybrid system that combines both the ward and proportional representation systems.⁹ The government provides some public funding for political parties and their election campaigns, but given their rising costs, large and unregulated private donors provide the bulk of their finance. With some 222 nationally registered political parties using radio, television, placards and public rallies, one would think that political campaigns would offer a variety of venues for interest groups to promote their policy change agenda.¹⁰

Schulz Herzenberg's essay explains why South African elections, although purported to ensure public accountability and shape public policy, fail to do either. To try to understand the reasons for this, Schulz Herzenberg traces the various campaigns run by South Africa's main political parties, and compares these to the data about party identification, voter perceptions of political parties, public opinion and the actual election results. With this data, she is able to show the extent to which elections – and the campaigns that run them – are shaped by public opinion polling. Although her findings are somewhat disheartening, she is hopeful that issue-based advocacy campaigns will eventually raise '... the negative retrospective economic sentiments among the poor ...' if issues such as failed service delivery continue to fester. Interestingly, Schulz Herzenberg's analysis also finds that the media, and not public opinion polls or political parties, are primarily responsible for setting campaign agendas.

Agenda-setting theorists, such as Maxwell McCombs, confirm Schulz Herzenberg's conclusion and prove that, in a variety of contexts, exposure to the media and its coverage of issues does indeed drive the public agenda and inevitably shapes public opinion.¹¹ McCombs established a definite correlation between the news media's issue priorities (measured by content analysis) and its affect on public opinion (measured using public opinion surveys). This is primarily because reporters, with the exception of investigative journalists, cover real-world situations and conditions, frame them, and allocate space or time based on their resources and their individual assessment of each event's importance.

Wadim Schreiner and Robert Mattes supplement these results while examining whether South African election campaigns, in their present structure and execution, are indeed able to facilitate interest groups advocating policy change. To contextualise their data, they juxtapose their findings to surveys that study the American polity.

Schreiner and Mattes show that often the most important public policy issues are overlooked because the media fail to understand the historical circumstance of an issue, the political climate and legislative activity, the impact government policies

have, and the availability of policy alternatives.¹² They blame political parties for these oversights, citing among other things their inability to mobilise constituents, as well as their lack of television advertising experience. They also blame the South African media for their generally poor election coverage and even the Independent Electoral Commission's (IEC) system of distributing public finance to political parties.

While certainly disturbing, these findings show that South Africans have reason to be sceptical of those purporting to protect their interests. If election campaigns do not reflect the public's opinion or debate substantive policy proposals, then the question arises: what advocacy campaigns, if any, do South African interest groups run?

South African advocacy campaigns are limited to promoting greater awareness of an issue through the media (opinion editorials in newspapers, letters to the editor and phone-ins on talk radio programmes) and hosting street demonstrations and protests. Interest or advocacy groups also run lobbying¹³ campaigns that generally seek a 'systemic peaceful change to [a specific] government policy'.¹⁴ Lobbying campaigns require extensive legal expertise and often representation, for example researching, writing, and submitting position papers or memoranda to parliamentary portfolio committees and government officials outlining their specific position and supporting evidence; presenting these positions at parliamentary portfolio committee hearings; monitoring parliamentary debates and committee hearings; and writing letters, circulating petitions and delivering memoranda to targeted political figures to garner their support.

In practice, South African interest groups are more adept at lobbying than they are at conducting awareness campaigns that stir public opinion – primarily because international funders fancy lobbying, and specifically public interest litigation, since it has traditionally yielded tangible results. Regrettably, awareness campaigns are limited to public protests and they only garner media attention and governmental action once they turn violent.

Under the South African Constitution, public interest litigation, such as challenging constitutional issues, occurs where an existing policy is applied incorrectly or inadequately, or when an urgent situation arises. Here interest groups that are either directly or indirectly involved in a case may appear in the Constitutional Court as *amicus curiae*.¹⁵ Legally, *amicus curiae* status relies on either written consent from the relevant parties or, in cases where written consent does not exist, an application that outlines the group's specific interests, position on the issue, and the pertinence of their legal submission. Once recognised as *amicus curiae*, an interest group/s may submit written arguments that describe original¹⁶ evidence and raise potentially conflicting or controversial perspective/s for the Court's consideration.¹⁷

Interest groups acting as *amicus curia* have assisted in several high-profile cases. In 2002, the Treatment Action Campaign (TAC), an advocacy group that 'campaigns for access to medicines for all people with HIV, to prevent new HIV infections and

for a better public health system',¹⁸ took the South African government to court to expand access to anti-retroviral drugs for pregnant women who are HIV-positive. The government argued that the judiciary could not decide how and who had access to anti-retroviral drugs such as nevirapine. However, by using its *amicus curia* status, the Institute for Democracy in South Africa (IDASA) nullified this argument by convincing the court that it was partially responsible for implementing socio-economic rights such as access to anti-retroviral drugs.¹⁹

While this case was successful, the advocacy effort had to overcome the same obstacles that stymie other South African advocacy efforts. The two case studies that end the second part of this book describe just how numerous and frustrating these challenges have become.

Since 1994, the ANC has promised housing to lower income families. Yet, despite its intentions, the ruling party has been unable to deliver these homes or propose a realistic plan of action. As Anzabeth Tonkin and Lufuno Muthambi documents in the first case study, the inability to provide adequate housing is not only frustrating for those on waiting lists, but it also forces analysts to question whether the government's intentions are genuine. Tonkin and Muthambi painstakingly detail the aggravation, delays and summary rejections that innovative proposals by community-based interest groups such as the Cape Town-based Rainbow Housing Co-operative have and continue to endure. And with key advocacy leaders now working in the government, Tonkin blames these delays on a distinct lack of capacity and experience among today's activists.

This need for capacity is also a factor in the other case study, co-authored by Nikki Funke, Shanna Nienaber and Christine Gioia. Their chapter profiles the politics of environmental advocacy in South Africa by recounting how a one-person environmental lobby, the Federation for a Sustainable Environment (FSE), has championed the hazardous effects of acid mine drainage (AMD). The FSE's mission is to promote ecological sustainability within South Africa, and its advocacy efforts, unlike other South African advocacy campaigns, cover all four of the areas/stages listed earlier. Not only does this chapter contextualise the difficulties facing the environmental advocacy movement in South Africa, but it also shows why the AMD advocacy campaign has only enjoyed marginal success, and proposes ways to improve current efforts.

In an attempt to redress this capacity issue, the authors in **Part 3: Championing public opinion: A future for interest groups?** use their experience to proffer advice that is punctuated by a stern warning for South Africa. The first three essays sketch the components and merits of successful interest-group campaigns, discussing how to design and manage an advocacy campaign, which political communication strategies to use and how to motivate grassroots support using social networking software, and even explores new financing options.

In general, successful advocacy campaigns use a solid campaign plan to steer their efforts. This plan's goal is to identify, organise and mobilise stakeholders and help them

voice their opinions and advance their preferred solutions. The plan, such as those for political or election initiatives, needs to thoroughly research and clarify the problem the campaign proposes to address. It also requires solid empirical research that supports the position, understands the complex political landscape and identifies every opportunity it presents. In addition, the plan's strategy must develop tactics that can build broad-based support across sectors, work in coalition with other interest groups, be able to litigate, be willing to educate and utilise the media, be able to stay on message, and to initiate and facilitate community discussions and networks.

Rick Farmer outlines the precepts of a successful campaign planning process and offers a few suggestions for South Africa-based initiatives. He also peppers his chapter with the findings detailed in other chapters throughout the book, making his a unique introduction to the third more practical part of the study.

In the US (as both Michael Wolf and Costas Panagopoulos describe in Part 1), a myriad of laws govern whom advocacy campaigns can solicit financial contributions from and how much these donors can give. South African legislation, however, is far less restrictive. Indeed, money for advocacy and political campaigns can come from local and/or foreign individuals and corporations alike, totalling any amount desired.

The second chapter in this section briefly examines these provisions and uses them to introduce four new financing options that can help interest groups fund their operational, and therefore advocacy, structure. Given the changing sociopolitical environment, new donors keen to invest in social change initiatives have emerged. However, to exploit these donors and the proposed financial tools, interest groups need to change the way they raise money – instead of a traditional fundraising strategy, groups now need to develop a comprehensive finance plan that is integrated into the organisation's overall strategic plan. This chapter outlines the different aspects of this plan; it proposes that interest groups cost each of the organisation's goals and outline which financing options are available and aligned with the organisation's mission and its core competencies. Most importantly, it describes how the plan can convey a thoughtful strategic message that promotes the organisation's social impact and, using crowd-sourcing technology, pull supporters towards it.

This last suggestion prompts another interesting question: how can advocacy organisations use social networking technology to shape public opinion? Social networking and Internet search technology is already affecting the way the media set the public's agenda²⁰ in the US and Europe. In fact, it has also changed the way public opinion is measured. For this reason, Jason Johnson's chapter adds to Mari Harris's conventional sample survey approach by outlining how online software adaptations used by interest groups in the US and Mexico have maximised and measured crowd-sourcing trends. He even goes so far as to suggest that South African public-interest organisations use the country's growing infrastructure to broadcast their mission and message and attract a variety of new supporters and even investment partners.

To illustrate the preceding theoretical prescripts, Adrian Di Lollo's chapter shows how two South African initiatives, the TAC's ARV campaign mentioned earlier and the campaign to extend the Child Support Grant, successfully changed key government policies. His analysis also compares these South African campaigns to similar ones in the US to emphasise that, despite its location, successful advocacy relies on research, persistence, collaboration and coordination, as well as a specific finance and media strategy that stresses social change. In addition, Ann Bernstein, in her chapter, translates Farmer and Johnson's advice into some strong words for both the international and South African business lobby. Her chapter challenges the sector to embrace its ideals and use its vast resources to sway the international political agenda towards its own priorities.

Henning Melber concludes the book with a look at the Namibian case and offers readers some sobering advice. In many ways, Namibia's predicament mirrors that of South Africa. For instance, SWAPO, like the ANC, has dominated national, regional and local politics since the inception of multi-party democracy, even though it has failed to deliver and is seemingly 'neither able nor willing to meet the expectations of a better life for all'. Melber exposes the palpable frustration Namibians feel towards their political system and claims that SWAPO's dominance continues because there is no political opposition. And, as in South Africa, advocacy efforts flounder thanks to a lack of experience and organisational and financial capacity. Indeed, analysts blame SWAPO's non-delivery on poor policy discussion and implementation. Since interest groups are unable to shift the public's ire and offer credible options, SWAPO's reign of self-enrichment will continue, warns Melber. He then implies that if interest groups in South Africa do not act, their political system will suffer the same fate.

In the end, this volume offers another very important perspective of South African domestic politics and adds depth to the international study of the country's electoral and advocacy politics. Its authors show that interest group efforts to encourage political party and legislative accountability in South Africa are thwarted because political leaders tend to disregard public opinion. They blame a variety of factors, including a lack of advocacy experience, organisational and funding incapacity, and the fact that interest groups fail to plan and pitch their advocacy campaigns correctly. Ultimately, the book offers some ideas that, if tried, can make South Africa's democracy more effective and hopefully avert the trend that enslaves its northern neighbour, Namibia.

Notes

- 1 See Chapter 2 of this book for a full definition
- 2 See Chapter 1 of this book
- 3 See also, Persily, N. and Lammie, K. 2004. Perceptions of Corruption and Campaign Finance: When Public Opinion Determines Constitutional Law. *University of Pennsylvania Law Review*, 153(1):119–180.

- 4 See also, Persily, N. and Lammie, K. 2004. Perceptions of Corruption and Campaign Finance: When Public Opinion Determines Constitutional Law. *University of Pennsylvania Law Review*, 153(1):119–180.
- 5 See Chapter 3 of this book for more information.
- 6 The ANC also used this concept as its primary campaign slogan during the 2006 Local Government Elections.
- 7 Mari Harris, Collette Schulz Herzenberg, Robert Mattes, Wadime Schriener and Paulus Zulu all cite data from the Ipsos Markinor and Afrobarometer surveys.
- 8 On Election Day, rather than voting for any particular candidate, voters choose their favourite party. Once all the votes are tallied, a party is allocated seats based on its share of the popular vote. For instance, in a district with 10 seats, a party would win three seats if it won 30 per cent of the vote. The parties fill their seats with candidates from their party lists in the order they appear on the list. Candidates on these party lists are positioned on the basis of their popularity at various party election caucuses, which means the most popular candidate is listed first.
- 9 For more information on each of these systems please see <http://www.elections.org.za/content/Dynamic.aspx?id=998&name=Elections&LeftMenuId=100&BreadCrumbId=220>.
- 10 http://www.elections.org.za/content/Pages/Registered_Parties/Registered-Parties.aspx?id=1424&name=Parties&LeftMenuId=102&BreadCrumbId=216 [Accessed 28 April 2011].
- 11 McCombs, M. 2004. *Setting the Agenda: The Mass Media and Public Opinion*. Cambridge, UK: Polity Press.
- 12 Glynn, C.J. 2005. Public Opinion as a Social Process, in *The Evolution of Key Mass Communication Concepts*, ed. Dunwoody, S., Becker, L.B., McLeod, D.M. and Kosicki, G.M. New York: Hampton Press:139–63.
- 13 Lobbying is a form of advocacy that targets specific legislators, political leaders and individuals.
- 14 Camay, P. and Gordon, A. 2002. *A Guide to Lobbying for Civil Society*. Johannesburg: Co-Operative for Research and Education.
- 15 An *amicus curiae* is a legal term that describes someone who wants to assist the court; in other words, a friend of the court.
- 16 This is evidence that neither party has presented to the court.
- 17 Constitutional Court Rules of 2003 as quoted at <http://www.idasa.org.za/our_products/resources/output/advocacy_litigation_and_amicus/?pid=pims_archives> [Accessed on 8 April 2011].
- 18 <http://www.tac.org.za/community/node/1983> [Accessed 8 April 2011].
- 19 http://www.idasa.org.za/our_products/resources/output/advocacy_litigation_and_amicus/?pid=pims_archives [Accessed 8 April 2011].
- 20 Sunstein, C. 2001. *Republic.com*. Princeton, NJ: Princeton University Press.

Special interests and how they help shape US legislation: Interesting possibilities or potential pitfalls?

Michael Wolf

Interest-group politics in the US stands at a particularly interesting crossroads. In recent years, intense battles among interest groups have played out in the US Congress and have shaped some momentous legislation. The effectiveness of interest groups in influencing elections, driving public policy and framing those issues that raise public concern is perhaps at its zenith. This despite the fact that Americans distrust the role of special interests in politics – the popular fear is that interest groups lead public policy away from egalitarianism and toward policies that favour the powerful.

Popular distrust of interest groups is not new. Indeed, the framers of the US Constitution intended to diminish such interest-group influence even as they recognised how tightly group action is tied to human nature. The US public also embraces the romantic view that citizens work in groups for society's betterment. Ironically, interest groups are both distrusted and embraced as necessary components for a vibrant democratic society.

Against this complicated backdrop, this chapter explains how interest groups affect US lawmaking. The first part of the chapter explains how interest groups fit into US democracy. US politics both promotes interest-group activity and attempts to guard against too much interest-group power. The historical development of interest groups demonstrates how social change has led to interest-group formation, but also shows that change does not lead to the dissolution of existing interest groups, despite different times and conditions. The second section presents the different methods interest groups use to influence Congress. Interest groups attempt to elect lawmakers who will agree with their positions and then they lobby those elected officials. Finally, interest groups mobilise the public through issue advocacy in an attempt to indirectly pressure members of Congress into supporting their cause.

The final section of the chapter contextualises the way interest-group politics plays out in modern American life. Interest groups enjoy different levels of power depending on the resources they have at their disposal, the type of legislation they pursue and how broadly the costs and benefits of their policy concerns reach into society. Interest-group influence on Congress differs depending on these factors. As a result, no simple characterisation of interest-group politics in the US sufficiently captures its dynamics.

Interest groups differ in their persuasive powers, a fact that discounts the virtue that many pluralist scholars place on interest-group balance in the marketplace of

ideas. Instead, some interest groups dominate public policy not by the power of their ideas, but by the type of policies they pursue, the nature of politicking that occurs in those policy realms, and the resources they bring to the policy debate. This does not mean, however, that one should have an entirely dark view of the influence of interest groups on the US Congress. Indeed, the very nature of US politics makes the quality of information that interest groups provide to Congress a paramount feature of interest-group politics. Consequently, interest groups do not compete on a level playing field, but interest-group influence does not necessarily mean that the most powerful voices in US society always get their way.

The nature of interest-group politics in the US: America's love-hate relationship with interest groups

Historically, Americans have viewed groups negatively. Those who wrote the US Constitution warned, in arguing for the Constitution's ratification, that such groups were threats to democracy and that the structure of government must be designed to mitigate groups who might threaten the rights of other citizens. US citizens have also viewed interest groups with reservation because they fear these groups' motives and their proximity to governmental power.

So from the beginning of this Constitutional system, both elites and masses have viewed interest groups sceptically. This meshes with Americans' general mistrust of governmental power, and produces a narrative that interest groups pervert the common good. It also helps to explain why Americans have such low levels of trust in and affinity for the US Congress. The public views Congress as being in league with these powerful interests rather than pursuing the national interest. With such negative views of interest groups, why have they continued to proliferate?

The US Constitution's paradoxical promotion of interest groups

Fear of interest-group power was one of the main reasons for drafting a new US Constitution after only a decade of the original US Constitution, the Articles of Confederation. James Madison, who helped write the Constitution and justified its logic in the Federalist Papers, argued that 'factions' – groups of people united by common interest – could tyrannise other citizens. In the US's first Constitution, the Articles of Confederation, US states had sovereignty over the federal government. Consequently, it was easier for a majority to form around an economic or policy interest that could take away the economic and/or civil rights of other citizens, since each state had its own economic and cultural interests.

To contest this, Madison argued that providing greater power to the national government – now the federal government – would spread out these interests across a broad array of different concerns and make it next to impossible for any single faction to receive a majority. This would protect against tyranny, but it would also make it very difficult for the US Congress to build a majority to pass any legislation. So it is with

great irony that the system of US governance, now 220 years old, was established to snuff out the influence of interest groups.

Before the Constitution could be ratified, those who opposed creating a federal system argued that distinct civil liberty protections – such as the Bill of Rights – needed to be added to the Constitution. The first among these individual liberty protections is the freedom of expression (speech), religious belief and assembly. Government would not regulate religious beliefs, the ability to express one's political opinions and the right to meet with others who shared common ideas and values. Now the US Constitution, originally crafted to curb the influence of factions, protected the very principles that would let factions or interest groups flourish, unless these groups presented a clear and present danger to the country.

The Constitution also created a decentralised federal government, granting Congress the power to make laws it deemed 'necessary and proper' to carry out its powers. At the same time, it also allowed individual state governments to determine key public safety, education and transportation policies. In effect, Congress and state legislatures could originate law and public policy.

However, there was no guarantee that these initiatives would become law because it was difficult for representatives with different interests and values, given their disparate regional backgrounds, to reach a consensus. Ultimately, this means that despite the efforts to purge the influence of factions, the US Constitution protects such interests, has multiple points of access for advocacy groups, and often requires that vigilant interest groups shepherd legislation through the intricate decentralised policy-making process.

Interest groups aided by the political cultural values of individualism and promotion of the commonwealth

The decentralised constitutional framework of the US government is closely related to US political culture. By defining politics as a means of deciding 'who gets what, when and how', the US government is less involved in such decisions than other democracies. The state does not monopolise political space, which allows individualism – the notion that the individual is primarily responsible for his or her success and/or failure – to flourish as a core political cultural value.

In fact, US immigration and migration patterns reinforced individualism. Generally, Americans disfavour government regulation of society and the economy, effectively creating a competitive ideological spectrum that is narrower and to the right of most other advanced industrial democracies' belief systems. The resultant political debate is narrow and often means change is pragmatic and pushed by group advocacy, rather than large, partisan-based swings in policy.

A second portion of US political culture that does not fit squarely with individualism is the tradition of civic republicanism. Where individualism believes that an individual pursuing his or her own benefit ends up bettering society due to his or

her own success, republican virtue pictures individual pursuits beyond the confines of personal advancement – the citizen can be motivated to work for society's greater common good even at the expense of his or her own interests. Accordingly, the US political culture leads citizens to recognise the importance of living in a commonwealth.¹ To build a commonwealth, free citizens must be active and develop a civic life that relies on each other in horizontal relationships, rather than in vertical patron-client relationships with governing elites. The relative strength of individualism versus the commonwealth is weighted differently among citizens and is often contingent on the regional living patterns, but both coexist at the centre of US political culture.²

When the belief in the commonwealth is linked with individualism, it means that the economic marketplace is given significant power to decide who gets what in society, and taxes and levels of redistribution lag behind other democracies. This provides incentives for success, but it also provides less government protection against failure. If the public views success and failure as a result of individual action, but believes that citizens are responsible for creating a commonwealth, then the burdens of market failure require private citizen associations to take action. This view of associational life in the US may seem (or actually be) romanticised, but Alexis de Tocqueville³ was amazed by the number of Americans who were 'joiners' compared to nineteenth-century continental Europeans. Nevertheless, in lieu of government action, associations must fulfil social needs.

Moderate and catch-all political parties leave room for interest-group influence

US political parties are less ideological and organisationally weaker than those parties in other advanced industrial democracies. One main reason for parties' pragmatic rather than ideological stance is the fact that the socialist movement did not take root in the US, so there has never been a real demand for a party that articulates leftist ideological policies. The deep-seated individualism in the US political culture has meant that party appeals for collective benefits are not appealing. US parties have always been much weaker compared to other democracies' party systems, and without party government to define and drive the entire legislative agenda, the opportunity is there for interest-group influence. US parties compete in a limited ideological range, are typically open to different regional flavours, and favour locally based interests over the doctrines of a party platform. Furthermore, parties have no real ability to punish party members who vote with an interest group's position rather than their own party's wishes.

In addition, a broader spectrum of US citizens had the right to vote earlier than other democracies. Obviously, women and African Americans received the franchise relatively later, but working-class voters had voting rights soon after independence. Therefore, when the socialist movement pushed for workers' rights, wages and especially the right to vote in nineteenth-century Europe, it also helped cement class members for the socialist or social democratic parties that emerged.⁴ The US working-

class citizen did not embrace these mass left-wing parties because of their cultural individualism and the fact that they already had the right to vote. This has meant that US parties have always been more catch-all parties than programmatically pure, which provides openings for interest groups to influence congressional partisans on positions that may be out of step with their party's doctrines.

In other democracies, the result of the social movement giving political and economic power to the working class has created a close connection between labour groups and mass left parties. Historically, mass left parties in these advanced industrial democracies associate with and represent a vibrant set of private and public sector unions, while centre right parties programmatically align themselves to the business sector. The model for many advanced industrial democracies is neo-corporatism, where labour and business interest groups bargain within government to forge economic policy. This is a very powerful role for these broad economic-interest groups, but is also one that was carried into policy by sympathetic parties tightly connected to these interests.

In contrast in the US, labour and business have no direct bargaining role in policy making and each group must often advocate separately for its own industry and/or labour sector – the Democratic Party does have a closer connection to labour than Republicans, who typically are more associated with business. However, the regional divisions within these parties make these relationships much more tenuous in the US, so party politicians may appeal broadly to different economic sectors and the parties' appeals have always been more 'catch all' than programmatic.

A final distinction in the US system is the similarity of interest groups promoting social issues and interest groups promoting economic interests. The tight economic ideological underpinnings of European political parties meant that labour and business interests were directly connected to a single mass party. When social issues became more prominent in the 1970s and 1980s in Europe, the major parties shunned them because they could potentially bring divisions within these established parties.⁵ This meant that the avenue for social advocacy had to occur outside of party politics and the tight relationship the major parties had with either labour or business. Rather than social-interest groups forming within these countries, citizens had to create broader social movements to raise awareness on issues such as environmentalism and peace.

In the US, however, when these same social issues became salient, social-interest groups could borrow the model of economic-interest groups since economic interests were not as directly connected to parties and worked as outside pressure groups rather than inside policy makers. Consequently, economic and social interests follow common methods and strategies in the US, whereas economic interests in other democracies tend to be broader and more connected to a major party. Social interests, however, have different organisational features and tend to be social movements, rather than organised like economic interests. This leads to a broader number of groups in the US, but groups that follow similar structures and patterns of persuasion. It also means these interest groups can act as free agents across different types of issues and appeal

across party lines in the US Congress. Parties also do not have such direct connections to labour or business, and congressional party leaders do not have the punitive party rules that can keep party legislators in line.

The positive effects of associations and interest groups on political participation and social capital

The frequency of US elections and the frequent lack of competitiveness of these contests mean that, while voting may be the most mainstream mode of participation, it is not necessarily the most effective. In fact, if a constituent's representative does not represent his or her interests, an interest group may well champion his or her cause instead. Therefore, advocacy groups may provide an especially effective means of democratic participation for US citizens and may lead to greater citizenship skills.

Interest groups are important vehicles for political participation and citizenship development.⁶ As Robert Putnam⁷ argues, social groups and associations build social capital among citizens. When people work together in associations and/or interest groups, the social benefits from their efforts, such as increased interpersonal trust and a stronger affinity for democracy, trump the actions a citizen can achieve alone. Interest groups provide an important place to build social capital among citizens and undergird democratic health.

Moreover, to govern daily decision making in a society with limited government oversight, Americans rely heavily on associations. Nine out of ten Americans belong to at least one association, and there are over 25 000 non-profit membership organisations of national scope in the US.⁸ These associations govern much of the American nation's lives, from organisations setting professional standards, to charitable organisations filling a gap left by a broader social welfare state, to Elvis Presley fan groups meeting at a national convention. Indeed, Putnam's⁹ alarm about Americans 'bowling alone' rather than joining bowling leagues highlights the negative consequences of Americans not joining voluntary associations and even political interest groups. His fear, couched in terms of social capital, reinforces a fear that the civic republicanism of the US political culture is falling victim to individualism. So while associations and interest groups help to bolster the commonwealth, most of these associations do not deal directly with advocacy before government. Instead, they help govern society outside the realm of government. Indeed, on average less than 10 per cent of associational revenue is spent on political activity.¹⁰ However, on a utilitarian level, when one considers that 10 per cent of revenue of these 25 000-plus non-profit associations is spent on political persuasion, the aggregate amount spent on political activity is significant.

The history of interest groups: New groups growing without older groups decaying

Throughout US history, changes in society have led to new groups advocating their interests. In the early years, with so many immigrant nationalities coming to the US, cultural and ethnic-based groups sought to advance their economic, social and political

rights as well as protect their culture – Americans tend to romanticise their history of a melting pot of different peoples. In addition, those ethnic and religious groups that embraced the ‘old world’ cultures have provided an important integrating device for immigrants.

As with other nations, changing modes of economic production also brought about new sets of interest groups. Industrialism brought labour, industrial corporate interests, urban growth and advocacy of new technologies such as transportation. The westward expansion of the country brought diverse regional interests and economic perspectives, including powerful interests around energy and development. The expansion of the US government in response to the Great Depression and World War II also brought new actors seeking access to government grants and to the burgeoning military industrial complex. In order to coordinate themselves for the Cold War against the Soviet Union, the federal government began to involve itself more directly in areas of state and local governmental policy, such as transportation infrastructure (for national defence) and education (to counter Soviet scientific advances). Clearly, interest groups developed to meet and channel this growth.

In the 1960s and 1970s, many liberal interest groups were formed to challenge the social order. These movements included the civil rights movement, the anti-Vietnam War movement and the environmental movement. Their success in policy brought a rush of more conservative interest groups to counter liberal groups and to champion the status quo for business and social order.¹¹ New campaign finance laws required interest groups to develop so-called political action committees (PACs) for electioneering, which mushroomed the number of groups in Washington, DC. At the same time, lobbying became more professional and the digital age dawned, heralding a myriad of new issues and interest-group voices.

The history of interest-group growth in the US is a consequence of social and economic change. However, established groups that held particular power in the past have not disappeared. Indeed, despite the fact that agriculture makes up a much smaller part of the US economy, the interest groups associated with agriculture have not diminished.

Methods advocacy groups use to affect agenda

Because of the decentralised nature of government in the US, interest groups must employ numerous mechanisms to get on the congressional agenda. The separation of powers among the different branches of government and the different levels of government – that is, between the federal, state, and numerous local governments – in Americans’ lives mean that a large number of political elites must agree that an issue is sufficiently important before they consider changing the status quo.

The biggest means of affecting the political agenda come from events that jolt the government into action. The 9/11 attacks and the 2008 financial meltdown led to considerable political change despite the fact that elites had been aware of the threat

of terrorism and financial service industry problems for years. Both issues festered in elite political debate long before the crises broke, but only emerged on the general political agenda after the actual critical events. In addition, large electoral changes can bring about notable policy changes, but these often have a rather quick half-life and incremental politics again becomes the norm.

This leaves a limited set of issues eligible for the legislative agenda. The diversity of interests across the US and the complexity of the legislative process combine to filter most issues out of Congress. This leaves a key role for interest groups to mould the congressional agenda, and to guide legislation through the difficult machinations put forward by congressional institutions. In turn, the primary activity of many interest groups is to keep policy changes off the congressional agenda.

Interest groups typically combine three different strategies to affect the legislative process, by either introducing or killing legislation. For instance, their electioneering efforts try to persuade sympathetic politicians in Congress, they lobby congressional members to view policy debates their way, and/or interest groups mobilise the public to pressure Congress in favour of the position advocated.

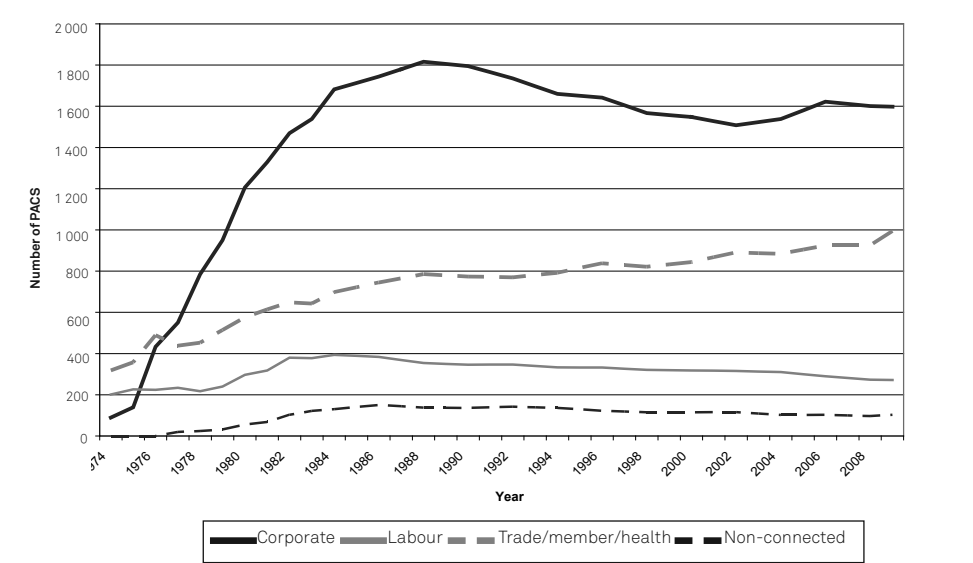
Electioneering

Interest groups do not run candidates for office; this is left functionally and legally to political parties. However, particular politicians are often closely related to particular interests either due to personal interest, or more commonly because of an overriding economic, social or cultural interest that exists in the region they represent. These representational pressures normally trump coercion to follow party platform positions. Historically, this has left a wide role for interest groups to affect election campaigns. Interest-group influence on electioneering has increased in the twentieth and twenty-first centuries as laws weakened party control over who would represent the party on general election ballots. In party primary elections, candidates compete to be a party's nominee and party elites have little say in who represents the party in the general election. The primary election law changes from the turn of the twentieth century have accelerated the candidate-centred rather than party-centred nature of US elections. Now for candidates to succeed, they must raise money to promote themselves in both a primary (for the party nomination) and the general election. Parties can provide assistance in the general election, although coordination between the party and candidate is not allowed and election laws limit party spending on campaigns. This means that congressional candidates seek financial help from interest groups to fund their campaigns.

Interest groups' electioneering efforts follow two paths. First, groups give campaign contributions to candidates to fund their campaigns. Second, advocacy groups may spend money highlighting particular issues they find important. The aim is to raise the salience of their particular side of an issue for voters and candidates to consider when making a voting decision. The laws surrounding campaign finance and

issue advocacy have changed significantly over the years. Since laws made it illegal for corporations to give money from their treasuries and for unions to give from their membership dues, corporations and unions have created political action committees (PACs) to raise money, donate to candidates and advocate on issues. As legislation regulating campaign finance tightened in the mid-1970s, more interest groups ended up creating PACs, which resulted in a significant growth of different types of PAC over time, as seen in Figure 1. What is particularly noteworthy, is the enormous relative growth and number of corporate affiliated PACs, as well as the number of trade, membership, or health PACs. Business interests clearly value the election of sympathetic Members of Congress and the ability to champion their issue positions during campaigns. The political ramifications of PACs to both campaign contributions and issue advocacy are addressed separately.

Figure 1.1 PAC growth by type, 1974–2009



Electioneering: Campaign contributions

Historically, campaign contributions have been regulated for US federal elections (Congress and presidency) to guard against the real or perceived notion that an interest group has ‘bought’ an office or vote from an elected official. Often these laws are reformed after abuses have emerged. The Federal Election Commission regulates campaign finance and money raised by and donated from PACs, as discussed in more detail in Chapter 2.

PACs are not the only game in town with campaign contributions. Individual citizen campaign contributions remain a central aspect of campaign finance, as well as parties that assist candidates through a myriad of party organisations at the national,

state and local level. In congressional elections, PACs make up a substantial source of winning candidates' war chests, with House election winners raising on average over 44 per cent (US\$608 579) of their campaign funds from PACs in the 2008 elections, and Senate election winners in 2008 raising on average over 24 per cent (US\$2 035 692) of their campaign finances from PACs.¹² Such totals trigger Americans' broader discomfort with the role of money in electoral campaigns.

The common public fear is that campaign donations by PACs buy votes of elected officials. This is a seemingly easy correlation to draw since those who receive campaign donations from PACs typically vote in favour of legislation that the PACs advocate. However, this relationship is incomplete when placed against the broader framework of candidate issue positions, donations and subsequent voting behaviour. Typically, a PAC will support a candidate who positions themselves favourably to the PAC's position during the electoral campaign and prior to any vote. Therefore, the relationship can appear to be one of vote buying if one does not consider the a priori position of the politician and the logical effort of a PAC to get people elected who support its issue positions. Indeed, it is illogical for a PAC to fund a candidate who opposed the interest group's position in the campaign with the hope that their campaign support will lead to a change of position. Consequently, most systematic and empirical political science studies on the topic refute the vote-buying hypothesis.¹³ Instead, PACs give money to candidates who share their views toward issues prior to elections.

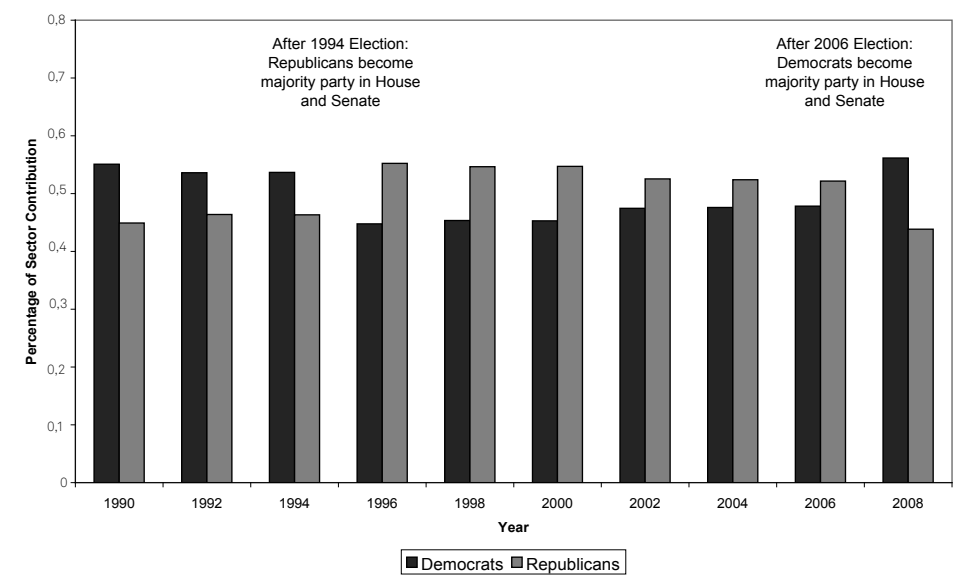
In addition, there is little empirical evidence to support the common thought that interest groups and their associated PACs might prefer to give campaign donations to candidates who waver on the issue in order to pressure them later on a particular vote. PAC leaders tend to raise money from supporters who view the issue in question particularly strongly. PACs recognise donors' passions (and future donations) and, accordingly, direct PAC contributions to those who support the issue most strongly rather than contribute to those who sit on the fence.¹⁴ Consequently, there is little evidence that campaign donations from PACs 'buy votes'.

While the systematic evidence of donations shows that PACs do not try to 'buy off' all 435 members of the House or 100 senators, political factors do enter into campaign donations beyond policy positions. Evidence suggests that PAC contributions may be tied into attempts to gain future access to decision makers with the most power over the issue of interest to the PAC. This occurs in two ways, which will be discussed sequentially. First, the party that holds the majority in the US House and US Senate tends to receive more PAC contributions than does the minority party. Second, it would be expensive and wasteful to give money to all potential Members of Congress, so PACs tend to focus contributions on those people sitting on congressional committees that directly deal with the PACs' interests.

In one sense, it is not a surprise that the majority party would receive more PAC donations. The majority party has more seats in the chamber, so it should receive

relatively more money. However, if these PACs are concentrated on particular issues on which the parties often have differing positions, the PAC should remain loyal to the same party – that is, unless the PAC’s goal is to gain access to the party in control of the Senate and/or House. As witnessed in Figure 1.2, when the parties change majority status in Congress – that is, one party takes hold of the majority of both the House and the Senate from the other party – the majority party surges in campaign receipts by the next election and the minority party suffers.

Figure 1.2 PAC contributions to party candidates by year



Moreover, PAC contribution patterns (shown in Table 1.1) to each party’s representatives in Congress broadly correlate with the parties’ relative number of representatives. PACs attempt to gain access to the majority party. Table 1.1 presents the percentage of PAC contributions to Republican congressional candidates by different sectors. Because there are only two parties calculated here, the percentage given by each sector to Democrats is the direct inverse of the Republican percentage presented. Table 1.1 therefore shows that some interest-group sectors strategically switch the lion’s share of their contributions to majority party congressional candidates and other interest-group sectors remain ideologically loyal in their congressional donations.

All groups’ contributions ebb and flow with supply and demand realities of congressional majority party status. Nevertheless, some groups change the party they give to most, which obviously relates to the fortunes of the parties in Congress rather than interest group ideology. On the one hand, the communication/electronics, lawyers/lobbyists/labour, energy/agribusiness/transportation and miscellaneous business sectors remain much more ideologically connected to a single party by never switching

the party they support the most, or only switching their donation pattern once. The finance/insurance/real estate sector and health sector changed their relative donations to fit the majority party change when the congressional party majorities were about to switch or did switch. This is especially noteworthy given that the finance/insurance/real estate sector spends significantly more in PAC contributions than other sectors. The defence sector changed three times and with a standard deviation (average change in the percentage given to Republicans election-to-election) of 9 per cent of their donation, this shows that they are the most fluid donor and most willing to give to the majority party no matter which party that is. Therefore, interest groups buying access to the majority party through campaign contributions is a trend that holds some weight, but only for some interest group sectors.

Table 1.1 PAC donations to congressional candidates as influenced by majority party status in Congress

Year	Majority party in Congress %	Each PAC sector's percentage of contributions to Republican congressional candidates						
		Finance Insurance Real Estate %	Misc. Bus-iness %	Comm-unication Elec-tronics %	Lawyers Lobbyists Labour %	Health %	Energy Agri-business Trans- portation %	Defence %
1990	Dem	48	59	42	17	49	47	53
1992	Dem	51	59	40	18	48	56	47
1994	Dem	51	58	42	15	51	56	41
1996	Rep	60	62	49	21	61	68	68
1998	Rep	59	61	46	22	61	69	65
2000	Rep	59	61	46	22	61	69	65
2002	Rep	58	65	39	19	65	69	65
2004	Rep	59	60	41	25	62	69	62
2006	Rep	55	59	45	27	63	68	61
2008	Dem	49	47	30	22	46	56	49
Times switched to majority party		2	1	0	0	2	1	3
Standard deviation of contribution %		5	5	5	4	7	8	9

2008 contribution total to both parties	US\$476 m	US\$278 m	US\$139 m	US\$344 m	US\$167 m	US\$397 m	US\$24 m
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Note: Data summarised and recalculated by author from 'Political Action Committees' section of Centre for Responsive Politics' <http://www.opensecrets.org>. Author collapsed lawyers and lobbyists together with labour. Energy, agribusiness and transportation were also put into a single category for ease of presentation and total contributions were rounded off.

The second type of access that PACs seek from campaign contributions is even more influential on congressional policy making than gaining access through contributions to the majority party. PACs focus their contribution attention on those members of committees with direct say over their policy interest. To divide the labour of lawmaking, the US House has 20 committees and the US Senate has 16 committees that focus on particular areas of public policy. Hall and Wayman¹⁵ found that most PAC contributions went to those in Congress who sat on committees or chaired committees that write legislation, amend legislation or kill legislation of relevance to the PAC. For instance, financial services, insurance and real estate PACs gave more than US\$14 million to members of the US House Financial Services Committee, which more than doubled that which any other type of PAC gave to members of this committee and was US\$5 million more than members of this committee raised from individual donors. No other committee received even half as much money, even the influential tax writing committee. This pattern is replicated in other sectors as well, from defence to transportation to agriculture.

This leaves interest group scholars and citizens with a normative quandary. Studies show that campaign donations do not 'buy' votes – such vote purchasing would be expensive and strategically illogical. Why would a PAC donate to 100 members of the US Senate and 435 members of the US House of Representatives to purchase a vote when the PAC could instead focus its attention on the people who craft legislation? Gaining access on the ground floor is much more logical and is the pattern that PACs follow. Therefore, contrary to conventional wisdom, money does not 'buy' individual Members of Congress' votes indiscriminately, and only contributions from some interest-group sectors were found to facilitate access to the majority party. However, it can hardly be normatively comforting to the US public that contributions flow quietly and efficiently to gain access to those in Congress with the greatest ability to craft and pass legislation in the PAC's interest.

Electioneering: Issue advocacy

Another key expenditure by PACs is on issue advocacy. The most common form of this is via advertising in newspapers, on television, on the radio, through the Internet, or in calls or e-mails to citizens. This is one of the most unregulated aspects of interest group activities. The primary reason for not regulating issue advocacy is that

politically donated money has been viewed as a form of political expression, which is a fundamentally protected civil liberty even if not publicly popular. If government tightly regulated money spent on advocating issue positions, it could be the equivalent of government stifling political expression and dissent. The Supreme Court has long protected political expression, even when voiced by groups found detestable by normal Americans, because of the chilling effect government regulation could have on expression.

Still, because of public pressure, legal restrictions on issue advocacy advertisements have existed. For about a century until 2010, corporations and labour unions have been forbidden from directly financing electioneering messages and had to raise separate funds to do so through their associated PACs. In the controversial 2010 *Citizens United v. Federal Election Commission* US Supreme Court constitutional decision, the justices threw out legal restrictions on corporations' direct spending of profits and labour unions' direct spending of membership dues on issue advocacy during electoral campaigns. As a result, corporations and unions are no longer required to raise money through a PAC to voice their issue advocacy but can do so directly out of corporate and union accounts. The effect of this change is not readily known and predictions of past legal changes in campaign finance often do not follow predicted paths; but while many corporations shied away from directly involving themselves in the 2010 congressional elections, many others played a significant role.

The way electioneering issue advocacy occurs is typically akin to a form of negative advertising. The PAC states how a particular candidate is wrong on the issue and that citizens should contact the candidate. These expenditures cannot say 'vote for candidate x' or 'vote against candidate y,' or be coordinated with any candidate. But by negatively highlighting one candidate's stance on an issue, this does functionally end up favouring the opposing candidate. Furthermore, the favoured candidate can avoid any backlash from the negative tone by saying that they had nothing to do with the advertisement since, by law, groups cannot coordinate their advertisements with a candidate.

Negative advertisements are generally viewed as controversial by the public and among electoral scholars. The US public claims not to like them and scholarly critics have blamed these advertisements for poor public evaluations of the system or for suppressing voter turnout.¹⁶ However, negative advertisements are effective in the sense that they often provide much more policy-oriented information than other campaign advertisements, and the US public remembers them longer and more vividly than any other form of campaign advertising.¹⁷ Furthermore, even when legal restrictions have curbed issue advertising, other mechanisms to advertise have arisen. In the early 2000s, when legislation limited the timeframes PACs could use for their issue advertising, 527 new groups formed to take their place.¹⁸ Since the legislation limiting PACs applied to another regulatory body of the federal government, these groups were able to avoid many legal restrictions on issue advertising. Now, with the

Citizens United v. Federal Election Commission Supreme Court decision, the regulation of issue advertising funding is very volatile just as issue advocacy efforts are becoming more common and important.

Together, the campaign finance and issue advocacy components of interest group electioneering lead critics of PACs and the role of money in elections to worry that the large inequality in wealth in the US is recycled into funding elections and unfairly affects the issues debated in campaigns. In these critics' view, those with more money to fund agreeable candidates for their issue affect the campaign's debate through issue advertising. To such critics, freedom of expression is not a balanced freedom but one that ends up biased towards the wealthy and powerful in campaign finance. Others see little problem with the billions of dollars raised and spent by PACs. One could point out, for example, that such totals do not come close to what Americans spend on beer every year despite the relative importance that one would hope politics plays relative to beer drinking in US lifestyles. Whatever the opinion, PACs play a pivotal role in deciding who represents the US public in Congress.

Lobbying

Interest groups lobby representatives and senators to view their side of debates positively. As unpopular as PACs are viewed owing to the distaste for money in politics, lobbying is just as disfavoured owing to its association with power politics that is shielded from public view. Lobbying critics bemoan the power that special interests have in advocating their position compared to the common citizen. The question is whether lobbyists steer policy away from the public's wishes and whether they pervert policy making. Without question, lobbying provides meaningful access to influence lawmaking and, because of this, it is regulated. Lobbyists must register with the Senate Office of Public Records, disclose publicly how much they spend on lobbying, and follow rules laid out by Congress as to what activities are legal and ethical in meeting with government officials.

The number of registered congressional lobbyists in Washington, DC is substantial. With 435 voting members of the US House and 100 senators, there are 25,7 times as many lobbyists per elected member of the US Congress. Some interest sectors employ a huge number of lobbyists. The pharmaceutical industry has more than twice as many lobbyists as there are people in Congress,¹⁹ and the financial services has 2 370 registered lobbyists in Washington, despite having to let 600 lobbyists go following the economic crisis.²⁰ What is perhaps more impressive is not just the number of lobbyists registered to influence the US Congress, but the increasing amount of money spent to lobby Congress, which equalled a nearly 89 per cent expenditure increase between 1999 to 2009, holding dollar constant at 2009 values. The per-year average increase over that period equals US\$163,75 million per year. This increase is only from the most recent decade, but such growth trends have been consistently highlighted by lobbying scholars for more than half a century.

The persuasive power of lobbyists does not come strictly from PAC electioneering expenditures, the number of lobbyists, or the amount of money spent on lobbying. Lobbying power is a story of information power. Lobbyists often have as much or more knowledge on policy issues than do elected officials. Many powerful lobbyists in Washington, DC were previously Members of Congress, senators, presidential administration officials, or an important staff member of a committee in Congress. Indeed, lobbyists are often criticised as being in a ‘revolving door’ between working as an interest group lobbyist, a congressional staffer, a former Member of Congress and/or a former presidential administration official. The US public is not inside this revolving door, bolstering the perception that the public is kept out of the decision-making loop.

While these are often policy or ideologically based lobbying groups, particular lobbying firms make sure to employ a balance of Republicans and Democrats so that they can approach members of both parties when pushing for an issue. Lobbyists know the parameters and process of public policy making. This expertise can have an extraordinary influence on policy making and interest groups make great efforts to ensure that they have solid lobbyists. One somewhat ironic example highlights the growing importance that congressional lobbying has assumed. One of the fastest growing power players in Washington is the National Governors’ Association. Made up of the governors of all 50 states, this organisation has redoubled its efforts in the past 25 years to influence federal government policy making towards favouring state wishes. Ironically, the powerful chief executives of each state’s government are not using their governing power to change policy, but working together to lobby Congress for their policy goals.

This somewhat dark picture of the power of lobbying has become conventional wisdom, but does not sufficiently provide the counterfactual of what Washington politics would be like without lobbyists. For instance, pluralists counter these criticisms by highlighting how lobbyists provide policy makers with information needed for decisions. Who, instead of those very dedicated to a policy, should provide policy makers with information? Indeed, without private sector lobbyists providing such information, congressional research staff would need to grow substantially to provide lawmakers with sufficient policy-relevant information. In a country whose citizens overwhelmingly prefer smaller government, expanding the bureaucracy to this extent would be unacceptable. Yet no one wants policy made in an information-free vacuum. Therefore, advocacy groups provide vital information to lawmakers without expanding the public sector.

However, while lobbyists can advocate their side of a policy argument, the evidence they present must square empirically or their access will be lost.²¹ And since contending interests testifying before a congressional committee are bound by their need for future credibility, lobbyists ensure that they provide quality policy information.²² One prime example of how poor information can burn lobbyists comes

from the tobacco industry, which successfully lobbied Congress to avoid stronger tobacco regulations for decades. Once considered among the most powerful lobbying groups in Washington, the industry lost all credibility when evidence proved that the industry had misled Congress for decades. Therefore, lobbying expenditures, and large numbers of lobbyists, are not solely responsible for policy dominance. Quality information is extremely influential over the long term with Congress.

Finally, it is entirely possible that lobbyists hold more sway than the public on the less salient day-to-day issues before Congress. Yet it would be hard to imagine that on a highly salient issue, public pressure and the spectre of future electoral success would not trump interest group pressure with Members of Congress. Therefore, concerns over the balance between the national interest versus interest group power depends on the context of the policy issue before Congress.

Mobilising the public and its opinions

If influencing who is elected to Congress and lobbying them once in office cannot achieve an interest group's goals, mobilising the public to pressure Congress is another mechanism. In fact, for some interest groups that cannot afford the other avenues, this may be the only means of advocacy. Public mobilisation by interest groups can be through issue advocacy and advertising, using the courts to strike down disfavoured laws, or more commonly through grassroots movements.

Like electioneering issue advocacy, some interest groups reach out to the public to contact their representatives or senators if legislation affecting the interest group is before Congress. This can occur through newspaper, radio, television or Internet advertising, or through direct contact via phone calls and/or e-mail. Scholars refer to this as indirect lobbying because the advocacy is not done directly at the elite level, but rather attempts to indirectly influence elites by mobilising public opinion. Issue advocacy has also been credited with framing issues in ways that change public opinion and ultimately congressional action. One well-known example comes from the Harry and Louise commercials of a couple discussing the downsides of health care reform that may have turned the tide against Bill Clinton's reform attempts in 1994. Whatever their effects, these forms of public outreach are very expensive avenues for mobilising public opinion and are not available to every group.

When interest groups cannot stop legislation they dislike, they often attack the legislation once it becomes law through the US common-law court system. If a group does not like a policy, they may petition the court system to say that the law was written, or that it is being carried out, in a way that injures citizens' civil liberties or civil rights and is, as a result, unconstitutional. At times it may be easier to get a policy ruled unconstitutional than it would be to overturn the policy by passing a new law. The foremost example of this strategy was the African-American civil rights movement. Unable to rewrite laws that discriminated against African Americans, civil rights groups used the court system to strike down these discriminatory laws as

unconstitutional, effectively changing education and public accommodations one by one until, decades later, public opinion against discrimination finally forced Congress to pass legislation outlawing such discrimination.

Rather than the elite level issue advertising or court strategy, the most common means of public mobilisation have been through so-called ‘grassroots’ movements. Interest groups without the resources to advertise, without access to elected officials and with few means for electioneering strategies, often have to use this method. When political debate at the elite level is fixed against you, the only means groups have is to expand the conflict to a broader section of the public who can perhaps pressure congressional leaders to change their minds.²³ Grassroots movements typically use non-violent protests, civil disobedience, letter-writing campaigns and other mechanisms to gain public attention for the plight of those who may have little or no political power before Congress. For instance, in the nineteenth century, grassroots pressure from women’s groups led to social welfare programmes for veterans, widows and orphans of the US Civil War. This despite the fact that women could not vote and were not lobbyists.²⁴

Another classic example of the effectiveness of this method is the African-American civil rights movement of the mid-twentieth century. Well-coordinated protests aimed at economic interests (Rosa Parks and bus boycotts), government policies (disobeying laws segregating public accommodations) and broader protests by such leaders as Martin Luther King Jr. brought public attention to the legal inequalities of African Americans in southern US states. When images of police brutality against peaceful protesters were broadcast on many northern US white televisions, public awareness grew and public pressure forced Congress to pass legislation that made such segregation illegal. At the time, many of Congress’s most powerful members were from the very southern states and from the very political party (the Democrats) that benefited from not having African Americans share in full political, social and economic power. Consequently, it took tremendous public pressure to sway other congressional members to take on the powerful leaders who had blocked action on the issue. The anti-Vietnam movement and the environmental movement of the late 1960s replicated this model of grassroots coordinated action. In both cases, the movements shifted public opinion to force a public debate in Congress.

It is rather ironic that some of the largest policy changes in US history have come from the most modest form of persuasion and from those with the least elite political power. Indeed, powerful interest groups now attempt to replicate aspects of grassroots movements. These groups back up their elite level electioneering and lobbying efforts with public mobilisation efforts. Because these movements are not popularly formed from the bottom up, such as the above examples of citizens creating organisations for protest purposes, they cannot be described as ‘grassroots’. However, these interest groups do mimic the public’s pressure. So, because they are led top-down from elites to the public, they are often referred to as ‘Astroturf’ movements

rather than ‘grassroots’ movements. Like the artificial sports grass Astroturf®, these artificially created efforts try to mirror grassroots movements and demonstrate how important all forms of interest group action are – electioneering, lobbying and public mobilisation – for interest-group success before Congress.

Contextualising interest-group politics in Congress

From the above material, it is clear that interest groups have considerable power in the US legislative process. However, the way power is manifested and by whom it is manifested depends on numerous contextual features that increase or decrease an interest group’s power in policy making. Not all interest groups are equal. When one looks at the most powerful Washington, DC interest groups listed in Table 1.2 according to a 2001 survey of lobbyists, Members of Congress, congressional staff and trade association executives, it is clear that many factors affect how a powerful interest group gets its way. As Table 1.2 demonstrates, the outcome of interest-group competition often hinges on the resources different interest groups have, the type of policy aims an interest group champions, and whether the costs and benefits of what the interest group pursues are widely felt.

Table 1.2 Ranking interest-group power in Washington, DC

Interest group or PAC	Power ranking		Type of group	Issue of group	Resources
	2001	1999			
National Rifle Association (NRA)	1	2 tie	Public interest	Firearm rights	Intensity
AARP	2	1	Public interest	Pro-seniors	Size
National Federation of Independent Business	3	2 tie	Economic	Business	Money
American Israel Public Affairs Committee (AIPAC)	4	4	Public interest	Pro-Israel	Intensity
Association of Trial Lawyers	5	6	Economic	Lawyers' rights	Money
AFL-CIO	6	5	Economic	Labour	M o n e y / Size
Chamber of Commerce	7	7	Economic	All businesses	Money

National Beer Wholesalers Association	8	19	Economic	Beer sellers	Money
National Association of Realtors	9	15	Economic	Real estate	Money
National Association of Manufacturers	10	14	Economic	Manufacturing	Money
National Association of Home Builders	11	16	Economic	Contractors	Money
American Medical Association	12	13	Economic	Doctors	Money
American Hospital Association	13	31	Economic	Hospitals	Money
National Education Association	14	9	Economic	Teachers' Union	Money/ Size
American Farm Bureau Federation	15	21	Economic	Agriculture	Money/ Size
Motion Picture Association of America	16	17	Economic	Movie studios	Money
National Association of Broadcasters	17	20	Economic	Television & radio	Money
National Right to Life Committee	18	8	Public Interest	Pro-life	Intensity
Health Insurance Association	19	25	Economic	Health insurers	Money
National Restaurant Association	20	10	Economic	Restaurant/ bars	Money
National Governors' Association	21	12	Governmental	State governors	Intensity
Recording Industry Association	22	40	Economic	Music studios	Money
American Bankers Association	23	11	Economic	Banking/ lending	Money

Pharmaceutical Research and Manufacturers	24	28	Economic	Pharmaceutical companies	Money
International Brotherhood of Teamsters	25	23	Economic	Transportation/labour	Money/Size

Note: Data from Jeffrey Birnbaum and Russell Newell, 'Fat & Happy in DC' Fortune; 28 February 2001, pp. 94–100. Type of group, issue of group and resources were created by author.

Interest group resources and interest group power

The resources available to interest groups distinguish how successful they are before Congress. Groups that can have successful electioneering, lobbying and issue advocacy efforts must have significant resources to do each effort well. The most common resource related to power is money and those with money can fund campaigns, issue advertisements and afford armies of lobbyists in Washington. As demonstrated with the enormous rise in corporate-affiliated PACs in Figure 1.1, business interests seldom want for money and unions often have access to funds as well.

A second resource is the size of an interest group. A group with a huge membership can persuade politicians to avoid a backlash of criticism at the ballot box. The clearest example in US politics is the AARP, which used to be the moniker for the American Association of Retired Persons, but membership is now open to any American over the age of fifty. In fact, the AARP now has more working members than retired. And with a membership of over 40 million Americans, the AARP is larger than some advanced industrial democracies. Representatives and Senators are loathe to go against the AARP because of its size and the fact that the seniors they represent participate more in elections than any other demographic. The reason for its size is only partially to do with its policy positions and more to do with the incentives it provides to its members, as will be discussed in the ensuing paragraphs.

A third resource is issue intensity. Some groups concentrate specifically on a single issue and because the issue is of such salience, its members are referred to as single-issue voters. Group members are willing to be active in the group, vote on the issue, donate to the cause and be counted on to call or write Members of Congress on the issue. Quite often, these groups face opposing interests that are not as well concentrated, have less intense membership, and suffer relatively in electioneering, lobbying, court cases and grassroots activism. A primary example of an intensity-based interest group is the National Rifle Association (NRA), which is the most powerful interest group listed in Table 1.2.²⁵ Historically, the majority of Americans have favoured some gun control, but they often differ on what should be regulated: all weapons, 'assault' weapons, handguns and so on. The NRA consistently fights any form of regulation and its membership is vocal and willing to vote on that issue.

Consequently, Congress has not tried to develop new firearm regulations over the past 10 to 15 years despite school shootings and public-opinion polling showing that the majority of the public support more gun control.

One could also argue that the American Israeli Public Affairs Committee (AIPAC) – the fourth most powerful interest group listed in Table 1.2 – also benefits from the intensity of its members support for its core policy goal of pro-Israeli positions in US foreign policy. Critics of Israeli policy exist among Arab-American groups and peace groups, but there is no question that these groups do not provide a robust countervailing voice to the intensity of AIPAC. These are not the largest interest groups by money or size, but the intensity of their members leads to real policy strength.

How interest-group type and policy goals affect a group's ability to mobilise

Another key distinction that systematically affects interest group strength hinges on the goal of the interest group. Mancur Olsen²⁶ established some time ago that interest groups seeking public goods – that is, benefits that everyone receives whether or not they are members of the group – will likely suffer in group membership and intensity relative to interest groups whose efforts lead to benefits that only affect them. This is due to the so-called ‘free-rider problem’ – if you received the benefit from an interest group whether you participated or not, would you join? There is a disincentive to participate when your receipt of the benefit does not depend on your joining the group. Consequently, moving someone from potential membership to actual membership is much more difficult for an interest group seeking a collective good than it is for an interest group whose members receive benefits depending on whether they joined the group or not.

The type of interest group – based on the benefits sought by the interest group – probably affects the success of that interest group. For instance, interest groups pursuing a common good are referred to as public-interest groups. If a public-interest group pushes for environmental interests, they cannot punish those who do not participate by sending polluted air and water to those citizens’ homes. Besides environmental groups, other noteworthy public-interest groups are good governance groups, citizen rights and liberties groups, or groups that champion the interests of citizens of a particular age or social group. Compared to economic-interest groups, these public-interest groups suffer from the ‘free-rider problem’. Economic interests do not face this disincentive toward participating in groups because their economic benefit is the pivotal reason for the interest group and unified effort can directly help meet economic goals.

The logic of collective action and the free-rider problem laid out by Mancur Olsen explains how interest group politics plays out in US legislative politics; economic interests often win policy battles against public-interest groups. Therefore, it is no surprise that Congress sides with economic-interest group policies more than public-

interest group positions when those policy positions conflict. Members of Congress feel the pressure of re-election, which groups with clear goals, mobilised membership and resources for electioneering and issue advocacy can patently influence. Elites recognise the imbalance among groups as witnessed in Table 1.2's listing of the 25 most powerful interest groups – 20 of the top 25 most powerful groups are economic-interest groups. However, economic interests do not always trump public interests. Indeed, there are several examples of public-interest groups defeating economic interests.

For instance, many of the Power 25 groups that could be considered public-interest groups – such as NRA, AARP and AIPAC – have had effective leadership and were able to provide selective incentives for members to stay motivated. Selective incentives are usually material benefits that only group members can enjoy, even though the interest groups' policy goals are not exclusive to group members.²⁷ One of the reasons why the AARP is so large is that members need only pay US\$12 a year to join; in return, they receive significant discounts at restaurants and hotels and from other service industries. Other public-interest groups also provide material benefits in an attempt to overcome the free-rider problem.

Olson²⁸ also talks of other social incentives for people to join public-interest groups, even if there is no exclusionary benefit and/or material benefit for the person. For instance, people may join a public-interest group for the purposive benefits they receive.²⁹ Either their passion for the issue defines their life's purpose and therefore they do not mind carrying the water for free-riders, or people may receive solidarity benefits³⁰ that do not directly relate to the group's mission, but instead come from the rewarding connection of socialising with others.

Despite the power of the NRA, AARP and AIPAC that comes from the excellent blend of material, solidarity and purposive benefits they provide, they are rare powerful public-interest groups. It is clear from Table 1.2 that economic interests dominate in Congress because these groups can translate their policy goals into direct economic benefits for their members. These interest groups do not have to rely on material, solidarity or purposive benefits to gain and mobilise members. Rather, they can concentrate all efforts on achieving the policy they prefer.

The disincentives that some interest groups face in mobilising potential members, which other interest groups do not, demonstrate why interest-group competition does not start on an equal footing. The differing incentives for interest-group members explain why the pluralist notion of a balance among interests is an ideal that is not empirically realistic. Congress is not simply populated by people with flawed human nature, as many Americans believe. The imbalance among interest groups is not because representatives and senators are necessarily greedy for contributions and perks from economic-interest groups. You could fill Congress with the Little Sisters of the Poor and interest groups would still face a power imbalance based on the membership and mobilisation incentives that some groups have over others. However, as mentioned

previously, public-interest groups do often win policy battles, despite the disincentives they face compared to economic groups.

The nature of costs and benefits from policy brings different patterns of interest-group competition

Interest-group politics play out differently depending on the type of public policy issue under consideration. In reality, interest groups do not affect congressional policy making in a uniform way. Rather, the nature and effects of interest group competition will differ depending on the type of policy Congress is considering. This means that particular congressional committees will demonstrate very different types of interest group influence relative to other committees. Theodore Lowi³¹ first noted how different areas of policy lead to different types of interest-group activity, depending on whether the policy area was distributive, regulatory or redistributive. As Table 1.3 shows, each of these policy areas differs depending on how broadly the costs of the policy under consideration are distributed throughout society, and on how narrow the band of people is who would receive benefits from the policy.

Table 1.3 Lowi typology: Type of policy affects style of interest-group politics

		Costs	
		Narrowly concentrated	Broadly distributed
	Narrowly concentrated	Regulatory policies	Distributive policies
Benefits	Broadly Distributed	Entrepreneurial policies	Redistributive policies

Note: Table is reproduced from Kenneth N. Bickers and John T. Williams (1998) *Public Policy Analysis: A Political Economy Approach*. Boston: Houghton Mifflin. pp. 166–170.

Distributive politics does not bring much interest group involvement because the benefits are concentrated even though the costs are broadly borne. One interest group benefits from its advocacy and the US public and other interest groups pay little attention because the issue is obscure and below their radar. For instance, interest groups may receive government policy benefits with little opposition, such as agricultural subsidies, grants for research that may benefit a particular industry, or government funding for infrastructure improvements such as roads and bridges. In recent years, some good government interest groups have paid more attention to expenditures in these areas as concerns over budget deficits have increased. Nevertheless, it remains

an area where one sector of interests or even a single interest group dominates policy without challenge.

This is not the case with redistributive policies, where both costs and benefits are broadly felt. Numerous interest groups will clamour for or against the policy because the policies favour one class of Americans over another. Such issues include social welfare policy, whether for older Americans who receive social security, younger Americans who receive low-interest loans for college education, financial assistance for families in poverty or unemployment payments to those who have lost jobs. Many interest groups involve themselves because the redistribution has such broad effects. The Health Care reform law that passed Congress in 2010 is an example of a redistributive policy and explains why the debate involved so many of the most powerful interest groups listed in Table 1.2. On one side, business interests such as the Chamber of Commerce and insurance interests such as the Health Insurance Association opposed the legislation. On the opposite side, unions such as the National Education Association, the AFL-CIO and the International Brotherhood of Teamsters, along with professional groups such as the American Medical Association, the American Hospital Association, Pharmaceutical Research and Manufacturers, and the AARP lined up for the legislation. The ramifications of the policy benefits and costs reached across all sectors of society and through a broad range of interest groups. Redistributive policies are not strictly confined to interest groups as the main actors, but also involve the influences of parties and public opinion. Nevertheless, the broad array of interest groups involved is significant.

A third type of policy, regulatory policy, is the most closely related to pluralism, according to Lowi.³² Here both the costs paid and the benefits received are narrow. Because the costs would be so concentrated, those opposing regulation – which may be an entire sector of the economy – would be very intense in their interest group efforts. Government efforts to regulate utilities, businesses or financial markets bring stiff resistance from those interests, but also bring out strong movements for regulation by those who would benefit from more tightly regulated industries, such as labour, consumers and competing business enterprises. For instance, some interest groups favouring wind energy, solar energy and even nuclear energy would favour regulatory changes toward ‘cleaner’ energy, while those against such regulation, such as oil and gas or coal industries, oppose changes. Even on this issue, where the public is relatively engaged compared to other regulatory issues, interest-group pressures play a major role in deciding the policy and who benefits and/or pays the costs. Like the redistributive policy area, interest group activity is intense, but unlike redistributive policy, interest groups are the most influential actors as the issue is typically less salient to broader public opinion and Members of Congress’ positions may cross party lines.

Finally, an additional area of policy is what James Q Wilson calls entrepreneurial politics.³³ These policies have broadly distributed benefits but the costs are limited. Furthermore, just how beneficial the policy sought may also be controversial. For

instance, it may change policy for a broad group of Americans, but whether all these citizens view it as beneficial is not known. Here the efforts of a limited number of interest groups – perhaps even just one – would create policies with broad reach. Groups such as the American Civil Liberties Union, which tries to limit government regulation of an individual's civil liberties, may have limited membership (perhaps even out of a lack of public popularity) but their policy goals reach a broad swatch of the US public. The group pushing for change may well run into numerous powerful groups pushing for the status quo or championing current community standards and values. And groups pushing for clean air could conflict with power, automotive and other manufacturing interests.³⁴

Interest-group competition in Congress takes on a different nature depending on the patterns of interest group power, the nature of the policy sought by the interest group, and how broadly the costs and benefits of policy are felt in society. This means that interest group political debate on an issue does not begin with a blank slate. The nature of the group and policy affect the nature of the political debate, and the resources interest groups bring to bear on the issue further condition the outcome. The patterns can take multiple forms, but systematically accounting for policy goals, costs and benefits, as well as resources, can help explain why some interest groups enjoy a distinct advantage over others and dominate when competing on issues before Congress. This does not mean that policy always goes to those with more resources, but it does mean that interest-group competition is not evenly weighted in the congressional marketplace of ideas.

Conclusion

This chapter began by stating that interest-group politics in the US stands at a particularly interesting crossroads. From the intersection, interest-group observers can look in one direction and see the tremendous influence interest groups have had on recent major congressional legislation, and remark about how powerful interest groups are in US political life. They can also comment on how negatively the US public views the influence interest groups have and how this distaste has been a tradition in US politics. Yet looking the other way, Americans also consider interest groups as an effective means to advocate their own political preferences and do not see citizens united for civic action as negative. These disparate views of interest groups – viewing them suspiciously yet with promise – may not fit well together logically, but that tension has existed throughout US history. This is partially due to the US Constitution, partially due to US political culture, but also due to historical transformation in the US economy and society. The distinctive institutional and cultural framework of US society makes this particular pattern of interest group influence in Congress unique when compared to the influence of advocacy groups in other democracies.

How the framers of the Constitution, who worked to curtail the negative effects of interest groups, would view modern interest group politics is another matter. They may share the uneasiness that many current citizens have concerning interest-group influence. Then again, US citizens' long tradition of being, as Tocqueville noted, 'joiners' of associations to solve social problems, appeals to Americans' long-held cultural belief of building a better commonwealth.

Finally, judging whether interest-group influence in Congress is biased toward the most powerful interests remains a concern among many citizens and scholars. Judging whether interest groups can bring equality to society or end up recycling the sources of gaps in US political and economic power is difficult. On the one hand, the evidence provided here demonstrates that some interest groups have structural advantages to influence Congress through resources, the type of goals they seek, and how broadly the costs and benefits of their advocacy reaches into society. Furthermore, those with resources have seemed to increase their advantage over other groups in electing sympathetic lawmakers, advocating their interests to the public and lobbying Congress.

There are reasons to take comfort from entirely dismissing interest-group politics as a mechanism for protecting society's most powerful interests. First, these imbalances have political explanations. The goals of groups and types of policy pursued have more to do with imbalances than does some dark-hearted portion of human nature. Critics need not quit participating politically out of resignation that the 'bad guys' always win. Indeed, some of the quintessential examples of interest-group success come from those who have the least power in other areas of political life. The nineteenth century women's movement for social welfare for the veterans, widows and orphans of the US Civil War exemplify this. The African-American civil rights movement, the anti-Vietnam War movement and the environmental movement all produced tremendous policy changes without having the resources or political advantages associated with the most powerful interest groups listed in Table 1.2.

Finally, the power of ideas still animates much of interest-group politics. If we were to remove interest groups from the congressional policy-making process, what would be gained? A political culture that holds individualism as vital to democracy would not want the government increasing its size to produce policy information rather than having the private sector's interests provide that to Congress. A political culture that believes the pursuit of the commonwealth requires free citizens to band together for the common good would not want citizens barred from influencing their representatives. It is a frustrating system to many Americans, but not one that has an easy alternative. Furthermore, the power of ideas and information still holds sway over the powerful mechanisms of persuasion. Campaign donations, lobbying efforts and public advocacy cannot overcome the power of solid information in persuading Congress.

Notes

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Fundraising for social change in the US: Interest group advocacy in contemporary US elections

Costas Panagopoulos

Funds raised and spent to promote candidates, parties and issues are abundant, perhaps increasingly so in recent years in US election cycles. Interest groups have also grown substantially in number, influence and visibility in US elections.¹ In contemporary elections, such as those in 2008, in addition to traditional campaign materials coming from candidates and parties, a great deal of campaign flyers, calls, and radio and television advertisements come from interest or advocacy groups that include political action committees (PACs), 527s and other organisations devoted to specific causes. Although these groups represent a diverse set of opinions on issues, a key objective is to affect the way voters view candidates. Despite the fact that they cannot expressly endorse candidates, they can highlight controversial and unpopular decisions or opinions, or promote candidates based on the views they favour. In the 2008 election cycle, issue advocacy groups spent over US\$400 million in order to influence election outcomes.²

This chapter will discuss the role of interest or advocacy groups and their efforts to raise funds to promote social change in the US. The chapter starts by identifying specifically what advocacy groups are, explaining what they do and what impact they have. The different types of advocacy groups are also described. The legislative and judicial history of campaign finance regulation are briefly discussed in order to explain the environment in which these groups operate. The chapter will then trace the increased use of these groups and conclude with a discussion of advocacy in the 2008 election cycle.

What is advocacy?

Interest groups, also known as advocacy organisations, are political groups that engage in ‘issue advocacy’ rather than ‘express advocacy’. This means that they nominally support specific policy issues and cannot directly or explicitly support or oppose any candidate. Advocacy organisations can serve as a conduit for candidate support as long as the ‘magic words’ of direct support or opposition (for example, ‘vote for’, ‘elect’, ‘support’ and ‘defeat’) are not used in their appeals to voters. The Supreme Court, in a ruling sometimes referred to as the ‘magic word standard’,³ found that these words constituted direct electoral or express advocacy. In theory, the standard gives individuals and groups the freedom to advocate for issues important to them without directly endorsing a candidate.⁴

Since the 1990s, advocacy groups have evolved from sophisticated grassroots organisations to elite large-scale efforts to shape public opinion.⁵ Some have gone so far as to claim that there has been a change from candidate-centred to interest group-centred elections in this decade. Interest groups, they argue, are taking on party-like functions. The consequence is that interest-group campaigning, because of its increased extent and funding, can frame an election to a greater extent than the candidates and perhaps even parties are able to do.⁶ Coalitions of interest groups often spend tens of millions of dollars on advocacy campaigns that feature pictures of federal candidates but do not use words like ‘vote for’ or ‘defeat’.

A large part of the freedom that advocacy groups have lies in the technical, legal distinction between ‘express advocacy’ and ‘issue advocacy’. Express advocacy involves directly or explicitly telling an audience to vote for or against a specific candidate. However, by changing the appeal to exclude an actionable request, the advertisement becomes a matter of issue advocacy.⁷

What advocacy does

Anthony Corrado⁸ argues that ‘[e]lections constitute a context within which political speech occurs, and within that context, issue ad[vertisement]s can have effects on voter decision-making comparable to express advocacy ad[vertisement]s. That is, they can persuade voters to support one candidate over another’. In addition, advocacy advertisements can benefit candidates by acting as a shield, allowing the candidate’s campaign message to be positive, but still receiving the benefits from negative campaigning if the advocacy group pursues that strategy. This way, criticisms and attacks can enter the general political discourse without the candidate being held personally responsible.⁹

Money coming from advocacy groups can, and often does, affect competitive congressional elections.¹⁰ In some competitive congressional races, money coming from these groups has exceeded the total spending by the candidates themselves.¹¹ Interest or advocacy groups typically employ similar techniques to candidates and parties; they use polling, focus groups and commission studies to create broadly persuasive communications designed to frame issues and candidates or to influence public policy debates. Some caution that ‘the power of well-heeled groups that can create and sustain political narratives is checked only by other such interests and not by traditional sources of democratic control, including voters, political parties, social movements, politicians and journalists’.¹² Often, the names of advocacy committees give no hint of either their ideology or their membership, enabling these groups to overcome some of the cognitive bias that people apply when interpreting materials coming from either candidates or parties.

Types of political advocacy organisations

There are several types of interest or advocacy groups in the US. Some of the more common types include 501(c) groups, 527 groups and political action committees (PACs). Each group is organised under a different section of the US Internal Revenue Code. The 501(c) groups are non-profit, tax-exempt organisations. There are several subtypes under this heading including 501(c)(3), 501(c)(4), 501(c)(5) and 501(c)(6), each of which has different requirements and can engage in different degrees and types of political activity based on those requirements. The 501(c)(3) groups operate for religious, charitable, scientific or educational purposes. A 501(c)(3) is not technically permitted to engage in political activities; however, in some cases, they may be allowed to participate in voter registration activities. The 501(c)(4) groups are commonly called ‘social welfare’ organisations that may engage in political activities, as long as these activities do not become their primary purpose. Similar rules apply to 501(c)(5) organisations (labour and agricultural groups) and 501(c)(6) organisations (‘business leagues, chambers of commerce, real estate boards and boards of trade’).¹³

The 527 groups are also tax-exempt organisations, allowed under Section 527 of the Internal Revenue Code. These groups’ main purpose is to organise voters, raise money for political causes and advocate for specific political issues.¹⁴ Many 527s ‘are advocacy groups trying to influence federal elections through voter mobilisation efforts and so-called issue ad[vertisement]s that tout or criticise a candidate’s record. 527s must report their contributors and expenditures to the IRS, unless they already file identical information at the state or local level.’¹⁵ Currently, the FEC only requires a 527 group to file regular disclosure reports if it is a political party or PAC that engages in either activities expressly advocating the election or defeat of a federal candidate, or in electioneering communications. Unless the 527 organisation meets this specific definition, all a 527 must do is choose to either register with the IRS or register in the state in which it is based. Despite the restrictions on directly advocating for a specific candidate, the fact that 527s are able to raise and spend unlimited amounts of ‘soft money’¹⁶ makes them potent political forces.¹⁷

PACs are often the political arm of organised commercial interests. In the US, most PACs represent business interests, labour or ideological interest groups. Unlike 527 and 501(c) groups, PACs are unable to raise ‘soft money’. Instead, PACs operate under a system in which they can spend limited ‘hard money’¹⁸ contributions for the express purpose of electing or defeating candidates. PACs contribute money directly to parties and candidates; however, contribution limits apply. PACs are permitted to give up to US\$5 000 to a candidate for each election and up to US\$15 000 to a party each calendar year. Similarly, PACs are limited in the amount of money they can accept because individuals, other PACs and party committees may only contribute US\$5 000 per year.¹⁹

Campaign finance law and advocacy

Advocacy exists partly because federal law sets contribution limits to candidates' campaign organisations but allows almost unlimited contributions to be used to advocate positions rather than to support candidates directly and explicitly.

Prior to the 1970s, there were very few regulations to political fundraising and campaigns. In 1971, escalating campaign costs and fears that such costs would exclude people from seeking political office and make politicians dependent on moneyed interests led Congress to pass the Federal Election Campaign Act (FECA). The FECA imposed new restrictions on campaign contributions and contained ground-breaking provisions for the use of public funds to partially finance the campaigns of qualifying presidential candidates.²⁰ In 1974, Congress amended the FECA and established a system of private financing for congressional campaigns that limited the amounts political parties, interest groups, individuals and candidates could contribute to or spend on behalf of specific campaigns. This framework was not fully implemented, however. Just two years after the initial passage of the amendments, the US Supreme Court overturned sections of the FECA in the *Buckley v. Valeo*,²¹ allowing citizens and groups to spend unlimited amounts of money to *independently* advocate the election or defeat of candidates.²² In the landmark ruling, the Court found that, with regard to individual, candidate and political committee expenditure limits, the government's 'interest in preventing corruption and the appearance of corruption' was 'inadequate to justify' the potential erosion of First Amendment rights. In a footnote, the Court offered examples of express advocacy (including such words as 'vote for', 'vote against', 'support' or 'oppose'), and this ultimately became known as the 'magic words' test. The Court acknowledged that this standard would leave outside the regulatory arena much communication that was election-related, but it concluded that it was better to err on the side of non-coverage and avoid the risk of a vague standard chilling political speech.²³

In 1979, Congress revisited the campaign finance issue and allowed individuals and groups to give unlimited amounts to the parties to help 'build infrastructure, mobilise voters and elect non-federal candidates'. Since that time, Court decisions have loosened restrictions further, allowing both party committees and issue advocacy groups to spend unlimited money on campaigns and, in some cases, even to mention candidates directly by name.²⁴

Further revisions to federal campaign finance law took place in 2002 when Congress and the then President George W Bush enacted the Bipartisan Campaign Reform Act (BCRA). The BCRA addressed a broad range of issues, including soft money, issue-advocacy advertising, fundraising on federal property, campaign activities of foreign nationals, and penalties for violation of campaign finance laws, but the most publicised provisions banned 'unlimited "soft money" contributions from individuals, unions, corporations or other business interests, or political action committees (PACs)'.²⁵

Almost immediately, the BCRA became the focus of contentious rule making by

the Federal Election Commission (FEC), and lawsuits filed by 84 plaintiffs challenged its constitutionality.²⁶ As most of the BCRA's provisions were set to apply for the 2003/2004 election cycle, suits were brought to the US Supreme Court and put on its 2003 docket after undergoing expedited reviews by special three-judge panels of the DC District Court. Ultimately, the Court struck down limits on congressional campaign spending, independent expenditures and self-financing by wealthy candidates. Despite the fact that the BCRA has been highly contested, the Courts have upheld most of the other provisions. The most visible of these were seen during the 2004 election cycle, where the 'stand by your ad' provision required candidates to 'approve' their campaign messages.

The growing importance of issue advocacy in the US elections

Well before the BCRA's adoption and the ensuing elimination of 'soft money', political operatives found innovative ways to manipulate campaign rules and existing restrictions. 'Soft money' receipts grew from roughly US\$20 million in the 1980 and 1984 election cycles to US\$86 million in 1988 and to US\$495 million in 2000. Starting in the 1996 cycle, much of that money financed candidate-specific issue advocacy in presidential and congressional elections.²⁷

The rise of issue advocacy became one of the most important developments in US elections at the time. By late 1995, the campaign strategies of parties and organised interests groups began to change their focus, realigning to concentrate on 'broadcast advertisements that were outside of the scope of federal regulation and that were financed with funds that were not subject to federal contribution limits or public disclosure requirements'.²⁸ Corrado²⁹ reports that, from 1995 to 1996, Democratic Party committees spent an estimated US\$34 million on television advertisements designed to promote Clinton's re-election; none of these costs was charged as co-ordinated expenditures on behalf of Clinton's campaign. The Republican National Committee responded to this by raising and spending US\$20 million on a similar issue advocacy advertising campaign trying to build support for Bob Dole. By 1998, issue advocacy campaigns and advertisements were a commonplace fixture in federal elections.

After the 1996 election, issue advocacy groups were influencing some of the most prominent issue campaigns. These included the opposition to the Clinton health care reform efforts, the 1996 Telecommunications Act, and the Medicare reform movements in which interest groups were able to 'tell their tales, through anecdotes, scientific studies or symbolic appeals, again and again'.³⁰ During the 1990s, issue advocacy groups and the 'soft money' they raised and spent rose exponentially.³¹

In the 1999/2000 election cycle, each party spent about US\$250 million in 'soft money'.³² Compared to the 1998 campaign cycle, the 2000 cycle saw an expanded role for issue advocacy groups, including what seemed to be 'greater issue congruence with candidate campaign themes' and fewer incidents where the message presented by

advocacy groups conflicted with the message of the campaign.³³ In the 1998, 2000 and 2002 election cycles, in several competitive congressional races, issue advocacy ‘soft money’ spent on communications matched or exceeded candidate communication spending, making the issue advocacy groups a main voice in voter mobilisation and candidate message framing.³⁴ David Magleby³⁵ concluded that outside money was fundamentally altering the traditional idea that elections are contests between two competing candidates’ campaigns. These developments continued in the 2002 cycle, when it became more apparent that the tone of advertising by issue advocacy groups was far more negative than candidate or party advertising.³⁶ The typical voter, however, is often unable to determine the sponsors of such communications.

In the 2004 election cycle, interest groups spent vast amounts to promote both the Republican (President George W Bush) and Democratic (Senator John Kerry) presidential contenders. Federal 527 groups spent an estimated US\$426 million in the election cycle, up from US\$151 million in the 2002 (pre-BCRA) election.³⁷ Democratic-leaning groups outspent GOP groups by a margin of nearly 3 : 1 – US\$320 million to US\$109 million respectively.³⁸ The main pro-Republican groups included Progress for America and the Club for Growth. On the Democratic side, the more prominent groups included the Media Fund and MoveOn.org.

Compared to 2004, a far less but still sizable amount of 527 spending activity was reported for the 2006 mid-term election cycle. In total, such groups raised US\$117 million in 2006, similar to the US\$114 million raised in the previous (2002) mid-term cycle pre-BCRA. Democratic 527s outspent GOP groups in 2006 as well: US\$88 million to US\$55 million respectively.³⁹

Issue advocacy perspectives in the 2008 election cycle

In the 2008 election cycle, outside, ‘soft money’ groups raised and spent an estimated US\$400 million.⁴⁰ Federal 527 groups spent an estimated US\$202 million in 2008 (down from US\$426 million in 2004), but 501(c) organisations, which, as discussed above, are subject to far less scrutiny and regulation, were far more active in the cycle and helped to close the partisan divide in spending by outside groups that favoured Democrats disproportionately in 2004. Spending by 501(c) groups tripled in 2008, reaching nearly US\$200 million.⁴¹ Interestingly, spending by Democratic-oriented 527s outspent GOP-oriented spending by a margin of nearly 3 : 1 in 2008 – US\$143 million to US\$56 million respectively – much like in 2004, but spending by 501(c) groups favoured Republicans by a similar margin in 2008 – US\$142 million to US\$54 million respectively.⁴² Tables 2.1 and 2.2 provide details about federal groups that spent at least US\$200 000 separately for 527 and 501(c) groups in the 2008 cycle.⁴³ Overall, the vast sums raised and spent by these groups are a testament to the critical role these outside groups play in contemporary US elections and their importance in advocating for social change.

Table 2.1: 501(c) Groups' spending at least \$200,000 on federal elections in the 2008 cycle

Organisation	Total spending	Dem or Rep	Electioneering communications	Non-PAC independent expenditure	Other spending (estimated)	Group has a PAC
US Chamber of Commerce	36 397 294	R	16 397 294		20 000 000	X
Freedom's Watch	30 194 976	R	17 194 976		13 000 000	
Employee Freedom Action Committee	20 000 000	R			20 000 000	
America's Agendas: Health Care for Kids Inc.	13 178 043	D	13 178 043			
National Rifle Association	13 000 000	R			13 000 000	X
Americans for Job Security	8 616 571	R	8 616 571			
Planned Parenthood Action Fund	6 992 435	D		3 992 435	3 000 000	X
Vets for Freedom Inc.	5 900 829	R	3 900 829		2 000 000	X
Susan B. Anthony List	5 635 736	R	635 736		5 000 000	X
American Rights at Work	5 230 944	D	2 230 944		3 000 000	
Coalition for a Democratic Workplace*	5 000 000	R			5 000 000	
Health Care for America Now	4 991 859	D	3 991 859		1 000 000	
League of Conservation Voters Inc.	4 544 394	D		4 544 394		
Sierra Club	3 591 862	D	591 862		3 000 000	X
Let Freedom Ring Inc.	3 535 787	R		3 535 787		
Defenders of Wildlife Action Fund	3 198 904	D	405 154	2 793 750		X
American Issues Project	2 878 873	R		2 878 873		
Advancing Wisconsin Inc	2 394 512	D		2 394 512		
American Future Fund	2 007 712	R	2 007 712			X

PowerPac.org	1 876 154	D	1 041 556	834 598		
Progressive Future Inc.	1 495 043	D		1 495 043		
Focus on the Family Action	1 409 405	R	704 227	705 178		
Republican Jewish Coalition	1 364 502	R	1 364 502			X
NARAL Pro-Choice America (including Kelli Conlin)						
President of NARAL Pro-Choice New York	1 339 540	D	214 928	1 124 612		X
Associated Builders and Contractors	1 191 786	R	1 191 786			X
Alliance for a Better Minnesota**	1 159 203	D	1 159 203			
Service Employees International Union (SEIU)	1 102 648	D	1 102 648			X
Committee for Truth and Politics	1 000 000	R			1 000 000	
American Energy Alliance	954 384	R	954 384			
National Federation of Independent Business	754 240	R	754 240			X
Coloradoans for Economic Growth	670 562	R	670 562			
National Education Association	601 200	D	601 200			X
Judicial Confirmation Network	548 063	R	548 063			
Humane Society Legislative Fund	525 179	D		525 179		
Club for Growth	367 894	R		367 894		X
Environment America Inc. (and its subsidiaries)	353 787	D		353 787		
Americans for Prosperity	340 152	R	340 152			

American Federation of State County and Municipal Employees (AFSCME)	327 886	D	327 886			X
United Mineworkers of America	314 327	D	314 327			X
Common Sense Issues Inc.	300 619	R	26 375	274 244		X
Women's Voices Women Vote	207 724	D		207 724		
VoteVets.org Action Fund	204 543	D	204 543			X
United Food & Commercial Workers	203 378	D	203 378			X
Total	US\$195 902 950	US\$80 874 940	US\$26 028 010	US\$89 000 000		

*Not a 501(c) group but by and large the listed members of this coalition are 501(c)(6) business leagues

** This organisation established and financed a 527 with the same name which is listed in Table 2.

Sources: FEC reports on Electioneering Communications and Independent Expenditures; Sources for CFI estimates of “other spending” are detailed in text.

Table 2.2: Federal 527s raising or spending at least \$200,000 in the 2008 election cycle

527	Party orientation	Contributions	Expenditures	Related PAC	Associated with potential candidate or political party
AFSCME Special Account	DEM	32 867 824	30 652 149	x	
Service Employees International Union Political Ed & Action Fund	DEM	26 958 117	27 363 357	x	
America Votes Inc.	DEM	17 602 740	17 081 333		
Change to Win Political Education	DEM	13 917 202	7 799 656		
EMILYS List Non Federal	DEM	13 659 555	12 910 515	x	
The Fund for America	DEM	12 142 046	12 142 044		
Friends of America Votes	DEM	8 356 433	7 409 991		
Patriot Majority	DEM	8 266 627	8 108 121		
UNITE HERE TIP State & Local Fund	DEM	6 480 432	6 957 280	x	
Alliance for a New America	DEM	4 890 621	4 890 620		
Patriot Majority Midwest	DEM	4 160 100	4 169 905		
UFCW Active Ballot Club Education Fund	DEM	4 054 000	4 416 251	x	
Majority Action	DEM	3 896 000	4 002 351		
American Leadership Project	DEM	3 459 035	3 451 887		
Citizens for Strength and Security	DEM	3 153 000	2 996 457		
Campaign Money Watch	DEM	2 948 345	3 018 270		
Working for Working Americans	DEM	2 786 690	1 563 835		
Young Democrats of America	DEM	2 728 207	2 848 073		u
Labourers Political League – Ed Fd	DEM	2 584 940	2 547 876	x	
The NEA Fund for Children and Public Education	DEM	2 224 145	2 561 624	x	
Patriot Majority West	DEM	2 172 432	1 978 486		
Progressive Media Action	DEM	2 124 430	2 124 430		
SMWIA Political Ed. League	DEM	2 042 664	2 007 978	x	

League of Conservation Voters Inc 527	DEM	1 508 635	1 376 310	x	
Bring Ohio Back	DEM	1 401 385	625 353		
AFL-CIO COPE – Treasury Fund	DEM	1 330 210	1 342 306	x	
Grassroots Democrats	DEM	1 201 181	1 259 806		
Foundation for the Future	DEM	1 105 000	1 097 265		
Alliance for a Better Minnesota	DEM	1 103 500	1 098 939		
21st Century Democrats	DEM	1 067 500	333 468	x	
Planned Parenthood Votes	DEM	950 000	988 996	x	
Colorado First Project	DEM	950 000	697 784		
Defenders of Wildlife Action Fund 527 Account	DEM	700 000	820 448		
American Family Voices Voters' Alliance – Individual Account	DEM	651 025	645 278		
Democracy for America – Non-federal	DEM	520 150	520 149	x	
1199 SEIU Non-Federal Committee	DEM	474 550	475 820	x	
CWA Non-Federal Separate Segregated Fund	DEM	297 416	303 886	x	
VOTE HOPE	DEM	210 000	139 187		
Heartland PAC	DEM	193 333	205 004	x	
New Democrat Network – Non-Federal Account	DEM	178 000	401 001	x	
WESPAC – Non-Federal	DEM	155 000	330 040	x	x
Americans For Conservation	DEM	95 000	285 428		
Roofers Political Ed and Legislative Fd	DEM	79 037	201 031	x	
Sierra Club Voter Ed. Fund	DEM	595	756 494	x	
Dem. Oriented Gross Total:		197 647 102	186 906 482		
Transfers between Dem leaning Federal 527s		43 050 131	43 050 131		

Dem. Oriented Net Total:			154 596 971	143 856 351		
American Solutions for Winning the Future	REP		22 722 547	22 966 088	x	
College Republican National Committee Inc.	REP		6 826 285	7 537 976	x	
RightChange.com Inc.	REP		6 736 563	5 578 187		
The Presidential Coalition LLC	REP		6 477 080	6 016 215	x	
Club for Growth.net	REP		4 608 460	5 002 232	x	
Friends of Fred Thompson Inc.	REP		3 462 355	625 743	x	
National Federation Of Republican Women	REP		1 287 763	2 987 436	x	
California 2008 GOP Delegation Corporate	REP		1 281 425	1 069 008		
Born Alive Truth	REP		617 772	864 730	x	
Stop Her Now	REP		617 769	591 535		
Citizens Club for Growth	REP		392 952	928 333	x	
MAJORITY AMERICA.NET POLITICAL ORGANIZATION	REP		380 000	314 939		
Americas PAC	REP		357 225	363 335	x	
Draft Bloomberg Committee	REP		319 937	319 937	x	
Republican National Lawyers	REP		297 850	248 099		
Black Republican Freedom Fund	REP		278 952	297 514		
Republicans Who Care	REP		260 000	269 952		
Republicans Who Care Individual Fund	REP		235 950	541 334		

Americans United to Preserve Marriage	REP	220 000	158 598	
Rep. oriented gross total:		57 380 885	56 681 191	
<i>Transfers between Rep leaning Federal 527s</i>		202 482	202 482	
Rep. oriented net total:		57 178 403	56 478 709	
Unity 08		1 584 539	1 731 571	
No party orientation total:		1 584 539	1 731 571	
Total Federal 527		213 359 913	202 066 631	

Note: Does not include 527s that spent above the threshold early in the cycle but were not active in the 2008 federal elections.
Source: 527 Disclosure Reports filed with the Internal Revenue Service. Data downloaded from the IRS on 2/8/09.

The Campaign Finance Institute * CampaignFinanceInstitute.org

Issue advocacy in California's 2008 ballot initiative, Proposition 8

In contemporary US politics, issue advocacy groups are also active in non-federal and non-candidate elections across the country. The 2008 election cycle permits us to examine the role issue advocacy played in a statewide issue that was considered by voters – the status of same-sex marriages. In 2000, California voters passed, by referendum, a ban on same-sex marriage. In a 4–3 decision, the state Supreme Court overturned that ban, making same-sex marriage legal in California as of 16 June 2008. In November 2008, California voters were asked to reconsider the issue of same-sex marriage as a ballot measure (Proposition 8).

In what became a hotly contested ballot measure campaign, issue advocacy groups took centre stage. The main organisation supporting the ban was Protect Marriage, while Equality California was the main opposition group. These and allied groups conducted large-scale mass media advertising campaigns and canvassed, called and contacted voters, drove them to the polls, held rallies and protests, and produced campaign literature in support of their view. In the end, according to campaign filings, groups on both sides of the issue spent more than US\$83 million.⁴⁴ The final tallies showed that opponents of Proposition 8 raised US\$43,3 million while the measure's sponsors raised US\$39,9 million,⁴⁵ dwarfing those of previous same-sex marriage initiatives. Between 2004 and 2006, 22 such measures were on ballots around the country, and donations to all of them combined totalled US\$31,4 million, according to the non-partisan National Institute on Money in State Politics.⁴⁶

A great deal of the support for Proposition 8 came from religious communities all over the US. In the final days of the campaign, Protect Marriage issued an urgent appeal and, in a matter of days, raised more than US\$5 million, including a US\$1 million donation from Alan C Ashton, the grandson of a former president of the Mormon Church. The donated money funded an advertising campaign that many believe catapulted support for the measure.⁴⁷ For many Mormons, Proposition 8 was 'a kind of firewall to be held at all costs'.⁴⁸ Describing the support of the Mormon community for the ballot measure, Michael R Otterson, the managing director of public affairs for the Mormon Church, said '[w]e've spoken out on other issues, we've spoken out on abortion, we've spoken out on those other kinds of things ... But we don't get involved to the degree we did on this'.⁴⁹ Mormons were not the only religious group involved; the Roman Catholic Archbishop of San Francisco suggested many Catholics, evangelical Christians, conservative black and Latino pastors, and a myriad of smaller ethnic groups with strong religious ties, were involved in the 'struggle to protect traditional marriage against what they saw as an encroachment'.⁵⁰ Other grassroots groups also supported the measure, holding rallies and other outreach to voters in the campaign.

Opposition to Proposition 8 came from a variety of traditional Democratic contributors, including party leaders, Hollywood elites and labour unions, as well as California-based businesses. The California Teacher's Association, the teacher's union

organisation of California, donated over US\$1,25 million to defeat Proposition 8. Similarly, a group of San Diego-based biotechnology executives banded together to oppose Proposition 8, saying the proposed constitutional ban on gay marriage would be bad for business. These executives, along with other technology companies such as Google and Apple, publicly voiced opposition to Proposition 8, claiming that the ballot measure would make California less appealing to gay workers and put their industry at a competitive disadvantage.⁵¹ Support to defeat Proposition 8 was also provided by companies including Pacific Gas & Electric, Levi Strauss and AT&T.⁵² In the end, Proposition 8 was passed by voters with 52 per cent support.

This example clearly demonstrates how critical issue-advocacy organisations can be in advancing or thwarting issue-based campaigns in the US. Support for or against social change in the US can be galvanised, often quickly, and groups can amass vast resources to conduct large-scale, highly-advanced campaigns to mobilise and persuade voters. Even as the regulations that govern issue advocacy in a statewide setting vary across jurisdictions, groups are largely capable of getting involved and exerting significant impact on election and referendum outcomes.

Conclusion

This chapter has demonstrated the real and growing importance of issue advocacy organisations in promoting social change in the US. At both the federal and state levels, and even in local political contexts, citizens can band together in groups and solicit resources that enable them to launch sophisticated outreach and communications campaigns, which have the capacity to affect politics in meaningful ways. Elections outcomes, policy debate and even legislation are often influenced by spending on the part of specific causes, even as some messages must be implicit in order to comply with federal regulations.

One recent development may have important implications for the role of issue advocacy in federal elections. On 21 January 2010, the US Supreme Court overturned key provisions in the Bipartisan Campaign Reform Act of 2002 to strike down limits on corporate and union spending in elections. In what was immediately viewed by many analysts as a landmark case, justices ruled 5–4 in *Citizens United v. Federal Election Commission* that corporations have the same rights to free speech in campaigns as individuals, a view that critics argue dismantles limitations on spending in elections that had been in place for over a century. As concerns about the corruptive influence of money in politics have mounted, opponents have decried the ruling as an affront to democracy and renewed calls for policy reform. Still, it may open the door for further growth in the degree to which resources are marshalled to advance social change in the US.

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Interest groups in the German political system: Advice for South Africa?

Siegmar Schmidt

This chapter charts the successes and challenges interest groups¹ have had in Germany. It provides students of all disciplines with basic insights into pluralism and Germany's system of advocacy politics, while also referencing the situation in South Africa. The chapter begins with a theoretical discussion about the pros and cons of interest-group politics in a representative democracy. This is followed by a discussion of Germany's historical aversion to pluralist politics and emphasises corporatism as a background for the new legal and political foundation for interest groups after 1945. Then, the most important interest groups are profiled and the various channels of influence introduced – specifically the relationship between political parties and these interest groups. The chapter concludes with a discussion of recent trends, such as the intensifying interplay between political parties and advocacy coalitions.

The overall hypothesis of this chapter is that interest groups are well established and widely accepted in Germany. They provide citizens with additional channels for participation, besides voting during elections. They also provide expertise and advice required for decision making. They have therefore undoubtedly played a crucial role in the stabilisation of the German political system. However, there is ongoing discussion about whether interests are represented equally and whether the public's interest is sufficiently respected. Recent developments, such as professional lobbying, challenge conventional institutions for regulation. The dynamics in interest-group politics demonstrates that democracy is a process, which makes necessary adaptations without changing its substance. The end of this chapter discusses whether South Africa, one of the most promising young democracies on the African continent, can learn any 'lessons' from the German scenario.

Interest groups: Pillars of democracy or a danger for democratic governance?

There is an ongoing debate about interest groups and their role in a democracy. The following section outlines this debate and considers whether these groups are an essential element of a modern democratic society, or whether they in fact pose a threat.

Interest groups as an essential element of modern democracy

Pluralism is rooted in early twentieth century American political thought. The theory's proponents believe that interest groups are an essential element of a modern liberal

democracy. In contrast, authoritarian systems limit the diversity of non-political or loyal groups and totalitarian systems – such as Nazi Germany or the Stalinist Soviet Union – tried to extinguish pluralism completely and coopt all groups into the system. It was not until 1964, when the German emigrant to the US and co-founder of the discipline of political science in Germany, Ernst Fraenkel, rediscovered and reformulated the pluralist theory.²

Pluralist theory posits that highly differentiated societies develop a broad range of interest groups; that all interests can theoretically organise themselves freely; that interest groups compete with each other, which often results in the common good (*gemeinwohl*); and that the state plays a limited role – it guarantees the existence of groups legally and on a level playing field. Furthermore, there has to be a basic consensus among all ‘players’ and a respect for the Constitution, including its inherent values and laws. Interest groups connect the people with the government on various levels and with the political system at large.

According to the pluralist school, interest groups perform the following functions for a representative democracy.³

Interest aggregation

The aggregation process uses compromise to blend numerous individual interests into clear and coherent political objectives. This process typically takes place within groups and, in large organisations, can be an especially lengthy and complicated process.

Interest selection

Interest groups select only realistic interests; that is, interests and objectives that have a real chance of being realised. Extremist or minority interests are excluded. In this respect, interest groups work like a filter for the large number of different interests. They are the ‘gatekeepers’ because they decide which interests find their way to the political decision-making table. Inherent in the gatekeeper function, and depending on the structure of the interest group system, is the danger that these groups will monopolise access to the political arena by excluding many other interests.

Interest articulation

The leadership of interest groups generally formulates the group’s interests into concrete political demands and transfers them to the political arena. Whether these demands can be realised depends on effective channels of influence and the organisational and financial strengths of a group.

Political participation

Interest groups offer additional opportunities for citizen participation. In a representative democracy, citizens participate through elections which are held at regular intervals: every four years in Germany, every two years in the US House of Representatives or every five years in South Africa. Interest groups, social movements⁴ and non-governmental organisations (NGOs) provide individuals with another opportunity to participate in their democracy – besides voting in elections – by allowing them to work

within the organisation, often as a volunteer. They often represent large segments of society and open channels of communication between the individual and the political arena, mostly on a local or regional level.

Increasing legitimacy

When political actors and governmental agencies respond to their citizens' needs, the overall support for the democratic system increases. Indeed, citizens learn that their participation via interest groups can be successful. Social capital and trust can emerge between individuals thanks to these collaborative efforts and this strengthens the acceptance of democratic rules and norms.

Reducing transaction costs

Interest groups in the socio-economic sector, in particular, contribute to self-regulation because governments tend to delegate certain tasks to interests groups. This is a common feature in systems with a corporatist tradition. In Germany, for example, the welfare organisations define certain standards for hospitals and control them with permission from the government. Self-regulation saves transaction costs and prevents the administration from being overcharged.

For analytical reasons the first three functions – interest aggregation, selection and articulation – are presented separately. In reality, they are interrelated. For example, the aggregation of interests is a precondition for their articulation, and interest selection and articulation depend on each other. In many cases, the different functions are exercised simultaneously. However, whether the political system's legitimacy will increase thanks to the civic participation opportunities and concrete results interest groups provide can only be judged in the long term. Moreover, it is empirically difficult to identify causal relations between interest group activities and general support for a political system.

Nonetheless, these functions are ideal types. It would be naïve or at best idealistic to believe that interest groups only benefit the citizens and the political system.

Interest groups: A threat to democracy?

It is useful to distinguish between the fundamental, the moderate and the conventional critiques.

The fundamental critique

The fundamental critique is derived from both the Marxist way of thinking and from those who prefer authoritarian rule. Despite the marked differences between these two ideological strains, both argue that interest groups 'hijack' the state and prevent the government from acting in favour of the working class (Marxist interpretation) or the 'nation at large'. With the end of the Cold War and as more and more states become more democratic – despite differences in the quality of democracy – this ideological critique is less relevant than it used to be. Indeed, interest groups are generally accepted as the legitimate self-organisation of a society.

The moderate critique

The moderate critique, however, focuses more on the concrete ways groups work and their ability to push through special or even individual interests at the expense of common or public interests. As early as 1955, Theodor Eschenburg, the doyen of interest group research, published his book *Herrschaft der Verbände (Interest Groups Rule)*. His normative judgement had a significant impact on public perceptions and even on scientific research, in that interest groups were regarded as a potential threat or even danger for democracy.

The conventional critique

The conventional critique argues that representation and access to the government are selective, and that some interests are much better represented than others. Whereas soft interests (non-materialistic interests such as consumer interests) are difficult to organise, concrete economic interests are usually well organised, possess vast financial resources and build close ties to government officials. The critique refers mainly to interest groups in the socio-economic field. Big business or even individual companies, the farmers' associations and certain organisations of professionals (for example medical doctors or pilots) are perceived as potential threats to social justice and, however indirectly, to democracy. There are many examples for successful lobbying in fields such as the health system, public transport and transportation where economic interests prevail, sometimes even at the cost of common interests. Indeed, agricultural interest groups have been extremely successful – the German Farmers' Association (*Deutscher Bauernverband*) is one notable example.

Martin Sebaldt and Alexander Straßner⁵ found out that in the mid-1990s over 60 per cent of the groups registered as lobbyists represented economic interests. In comparison, only three per cent represented environmental interests and over 16 per cent of groups represented social interests. Long-term analysis of the German interest group system reveals that the number of economic interests and the classic labour interest groups stagnates, but that the number of social movements and interest groups outside the economic sphere with 'soft aims' (environment, culture, social services) has increased significantly over the last three decades. Often these groups have a large membership and in cases where members can be mobilised, the groups can put pressure on political parties, especially during election cycles.

Also heavily criticised is intra-group decision making. Participation of ordinary members can be limited in cases where interest group elites control the organisation and decision making is an exclusive top-down process.⁶ Members often feel alienated by the leadership's undemocratic practices and by a lack of transparency. To prevent members from withdrawing their support or cancelling their membership, interest groups have to offer their members incentives such as material benefits or at least social prestige.

Pluralism in historical perspective

For a long time an anti-pluralistic tradition prevailed in German politics – thanks largely to the legacy of World War II and how it configured the polity. Compared to France and England, Germany only became a nation state fairly recently in 1871. Promoted by elites from the military and the bourgeoisie, a strong and aggressive nationalism emerged and regarded party and interest group pluralism as divisive for the German identity. During the era of the German Empire at the onset of World War I, Emperor Wilhelm I asserted to the applause of a cheering crowd: ‘Henceforth, I do not know parties anymore, I only know Germans.’

This nationalist rhetoric was widely shared by a population that accepted the notion that political parties would divide a society because their activities would lead to polarisation and conflict. The ideal of a harmonious society without internal conflict was a romantic atavism because vested interests were fighting, as they had for centuries, to influence politics. For example, during the Weimar Republic, the short-lived first German democratic experiment between 1918 and 1933, radical parties from across the political spectrum, together with many interest groups, fought the democratic system and paved the way for the Third Reich.

After the collapse of Nazi Germany in 1945, a new Constitution – the Basic Law (*Grundgesetz*) – was drafted in 1949. For the first time in German constitutional history, the Basic Law not only mentioned but also legally defined preconditions for political parties. Article 21 Paragraph 1 states:

‘Political parties shall participate in the formation of the political will of the people. They may be freely established. Their internal organisation must conform to democratic principles. They must publicly account for their assets and for the sources and use of their funds.’⁷

Accordingly, the Basic Law recognised the central importance of parties for the political system. Indeed, Paragraph 3 of Article 21 announced a federal law for further detailed regulation. Although drafted in 1949, it took some 18 years to realise this provision. Indeed, a Party Law only passed the German Bundestag in 1967 owing to the government’s late and half-hearted initiatives. This law consisted mainly of regulations for party financing. Prior to 1967, private donations to parties were not efficiently regulated or controlled. In subsequent decades, the Constitutional Court changed and amended the party financing laws several times. In general, the Court’s rulings accepted regular increases in state party-funding but not to the extent desired by the political parties. Stricter regulations for private donations were introduced over the years, because during the 1950s individuals and companies donated large sums of money to influence political decisions and for personal interests. The absence of clear and enforceable regulations was similar to the current situation in South Africa. In Germany, a consensus emerged in the legal and political discussion that private donations were legal, but acknowledged that the system needed to be transparent.

Currently, party funding in Germany is a mixed bag: Every party receiving more than 0,5 per cent of the votes in federal elections will receive government funds.⁸ Private donations above a certain limit are legal but the donation and the donor's name and address have to be published. If parties fail to comply with the regulations, severe financial sanctions will follow.

In addition, thanks to the Weimar Republic experiment, the Constitutional Court was able to rule out a political party. According to the Basic Law, the Court can declare political parties that 'seek to undermine or abolish the free democratic basic order or to endanger the existence of the Federal Republic of Germany' unconstitutional. The procedure is complex and, for this reason, the Court has only ruled out two radical parties – a radical communist and an openly national socialist party – and that was in the 1950s.

Nevertheless, the Basic Law grants individuals the freedom of association. Article 9 Paragraph 1 states: 'All Germans shall have the right to form corporations and other associations.' While Paragraph 2 states that associations with criminal aims or whose activities are directed against 'the constitutional order or the concept of international understanding' are considered illegal and will be sanctioned.⁹ Furthermore, Paragraph 3 emphasises the right to form trade unions and professional associations.

Party and interest group pluralism anchors the German Constitution. On the one hand, this has clearly strengthened the acceptance and legitimacy of political parties and interest groups. On the other hand, however, there is a long and still unresolved debate about their positive and negative effects on democracy.

The corporatist tradition – a democracy of negotiation

Corporatism has a long tradition dating back to the end of World War I when 'organised capitalism' emerged and after World War II when it was revitalised. Corporatism is a phenomenon of industrial relations where representatives from the state, employer organisations and trade unions sit down together and discuss matters of economic and social policy. Often, these talks lead to formal or informal agreements on wages and working conditions.¹⁰ For democracy theorists, corporatism is ambivalent: on the one hand, corporatism fosters compromise, reduces the potential for conflict and stabilises the democratic polity; on the other hand, however, it may become problematic if the negotiation partners exclude certain groups or if they form a cartel of interests. The *Bundesrepublik* has a strong and successful tradition of informal corporatism in the field of industrial relations. Since corporatism is voluntary, it is based on mutual recognition, trust and a will to negotiate. Indeed, industrial relations typify the culture of compromise.

Germany is often described as a 'bargaining' democracy¹¹ instead of the more conflictual styles of interest representation as seen in the US. This means that many important decisions are not made by voting – which always means that one party will lose – but are rather the result of complex and often multidimensional bargaining

processes. Governments and decision makers try to include possible veto players – in the German case the Chamber of the *Länder* (*Bundesrat*); political opposition parties who might block decisions by going to the Constitutional Court – in these bargaining processes.

The traumatic experience of the Weimar Republic, where interest groups and political parties fought relentlessly and effectively endangered democracy, led to a preference for bargaining. The increasing complex nature of politics with a growing number of non-state stakeholders, a complex federal structure and highly sensitive challenges (such as the reform of the welfare state and climate change) reinforced the inclination towards a bargaining democracy. Especially in times of an economic recession, the trade unions often agreed on wage restraints in exchange for job guarantees by employers. Indeed, nowadays the state merely plays the facilitator who calls upon the actors to negotiate. In comparison with, for example, France, the number of working days lost because of strikes is relatively low.

A good example of corporatist behaviour is the reaction toward the 2008 financial crisis. In Germany, the effects of the recent global financial and economic crisis were mitigated by compromise and active state involvement: the government extended short-time allowances (*Kurzarbeitergeld*) to keep workers who were in danger of being laid off. According to the law, it is possible for the German Agency of Labour to pay a share of the worker's salary for a maximum of 24 months to support companies that are temporarily in a crisis. In effect, employers avoided layoffs and trade unions agreed to moderate salary increases. This policy, based on a political compromise between trade unions, employer organisations and the government, succeeded whereas the more institutionalised agreements, for example Chancellor Schroeder's 'coalition for work', failed.

South Africa also enjoys a corporatist tradition. The National Economic Development and Labour Council (NEDLAC) is the most prominent institution to offer not only a forum for negotiation between employers, trade unions and the government, but it can also broker a concrete agreement. However, South African corporatism faces several challenges. First, unions, employer organisations and the government tend to bypass NEDLAC. Second, both employer and trade union organisations are still divided along racial lines. Third, it is still not clear whether corporatism can work in a historically 'low trust society'.¹²

In Germany, corporatism is criticised because it is often not transparent and the arrangements can exclude groups not represented in corporatist institutions. Then again, the pressure of globalisation, the greater importance of Brussels¹³ as a place for lobbying, and the new forms of professional lobbying could potentially weaken informal corporatism in the long term.

Organised interests in Germany: A brief overview

The organisation of modern interests began in the nineteenth century. The Industrial Revolution produced new social cleavages, particularly between business and labour, such as centre versus periphery and church versus the secular state.¹⁴ These socio-economic cleavages shaped the party system in Germany and Europe at large.

Today, German society is highly organised into associations that represent a broad spectrum of diverse interest. Groups vary in size from a few dozen to more than a million members. And although there are no exact figures about the total number of groups, it is estimated that on the national level approximately 4 000 to 5 000 groups are active and on national and provincial levels (16 *Bundesländer*) around 20 000 are active.¹⁵ In general, interest groups are active on three different domestic levels of political decision making: at the local level consisting of towns, cities and counties; at the regional level, the so-called *Bundesländer* (state provinces); and at the national level of the federal parliament and government, with the ministries.

Lobbying in Brussels

What makes interest groups in Germany and in other European Union (EU) member states unique internationally are their activities on the European level, especially in Brussels. Interest groups are lobbying the European institutions, in particular the European Parliament, the EU Commission and – to a lesser extent – other institutions.

Of particular interest is the European Commission. This is the institution which has the exclusive right to initiate ‘laws’ (in the European context, regulations etc.) and in some policy fields to administer and execute them. In a growing number of policy fields, EU legislation shapes national regulation making the EU an important target for lobbyists. The relatively small number of civil servants in the EU offers favourable opportunities¹⁶ for interest groups.

The number of interest groups represented in Brussels has paralleled the deepening of the EU integration with the founding of the Single Market structure. According to estimates, over 10 000 lobbyists are active in Brussels and work in over 3 000 offices. Many individual, mainly large, companies and umbrella organisations from different member states and regions have opened offices in the Belgian capital for lobbying work. Approximately 70 per cent of all interest groups represented there derive from the socio-economic sphere. Public interest groups and special interest groups, such as the Association of Beer Drinkers, are also present in Brussels.¹⁷

However, limited resources and difficulties accessing the complicated multilevel governance system of the EU mean that not every interest group is able to open an office in Brussels. Moreover, the sheer number of interest groups means fierce competition. Routes and style of access have to vary, because civil servants come from different countries with different values and styles. Therefore, larger and more professional groups are overrepresented. To compensate for the prevalence of well-

organised business interests, the EU financially supports groups with environmental and consumer interests. From an interest-group perspective, lobbying at the EU-level is increasingly important but more ambitious than on the national level.

Employer organisations

Germany has a dense network of organisations in the socio-economic sphere that are well organised and highly concentrated. Indeed, the umbrella organisations of both capital and labour groups have a long history.

The first employer organisation was founded in 1876 and the first worker associations were established around 1878. From the beginning, the organisations on both sides tried to influence the political system and these capital-labour social cleavages formed political parties. The Social Democratic Party (SPD) was the political arm of the trade union movement and liberal and conservative parties represented business and professional interests.

With the defeat of Nazi Germany and the birth of the Federal Republic, the overall framework for trade unions and employer organisations changed. The Basic Law also guaranteed the existence and freedom of organised trade unions and labour, and employers enjoyed autonomy in collective bargaining over wages and working conditions. The German Basic Law also guarantees this autonomy (*Tarifautonomie*).¹⁸

Employer and business associations

Besides a large number of associations representing sector-specific producer interests (for example the association of chemical employers) there are three main umbrella organisations representing business interests. The *Bundesvereinigung Deutscher Arbeitgeberverbände* (BDA) (Confederation of German Employers' Associations) represents employer's interests in general; the *Bundesverband der Deutschen Industrie* (BDI) (Federation of German Industries) represents German industry; and the *Deutsche Industrie und Handelstag* (DIHT) (German Industrial and Trade Conference) represents the different chambers of industry and commerce.

The BDA is the lead organisation and negotiation partner of labour unions when it comes to collective bargaining. The DIHT has a dual character as both an interest group and a parastatal organisation because it exercises administrative tasks that are delegated by the state. The employers' organisations, however, concentrate on influencing the government's economic and social policy – they have their own research institutes – and also pressure the government to realise their interests on selected foreign policy issues. Moreover, as already mentioned, the German Farmers Association is one of the best organised and successful interest groups in the field of business and professional organisations.

The trade unions

The trade unions are the second largest sector of interest groups in Germany. They represent between eight and nine million members, which is about 28 per cent of the workforce.¹⁹ However, the number of organised workers has declined in recent decades – in 1991, roughly 40 per cent were organised. This tendency reflects changes in the economic structure. Over the years, the number of employees in the industrial sector declined and the service sector (IT, communication) is notoriously difficult to organise because of heterogeneous interests. In addition, the number of part-time workers and increasing unemployment has also weakened the labour unions. Both German and South African trade unions are well organised. In particular, workers in the industrial sector are able to represent their interests. The shop-floor mode of organisation in both countries is another reason why unions are in much stronger positions in collective bargaining than factory- or company-based unions in other countries.

The Christian churches

A third sector of interest groups is represented by the Christian churches. In contrast to South Africa with its high number of churches and religious organisations, the ‘religious market’ in Germany is still dominated by the Catholic and the Protestant churches. However, the growing secularisation of the past decades has effectively weakened the manipulative effect of these churches.²⁰ In fact, the churches have lost members and fewer members attend church services regularly. For instance, in 1960 a regular 12 million Catholics attended the Sunday church service compared to some 3,9 million in 2004. The recent child abuse scandal within the Catholic diocese has accelerated this trend. Nevertheless, the churches still play an important role in social matters; they run hospitals, nurseries and kindergartens. Unlike South Africa, the German government collects taxes for the churches from the citizens. The churches finance a broad spectrum of social, health and education programmes. The churches also have political influence. Politically, the Christian Democratic Union is aligned mainly with the Catholic church, whereas the Protestant church has closer relations with the SPD.

Thanks to globalisation, trade unions must learn to handle the political power of employers and the unions have to organise production internationally – often to organised labour’s disadvantage. Similarly, the advent of strong groups active in the environmental, human rights and democracy fields has changed the political dynamic in Germany. These groups – NGOs – claim to pursue the common good (*gemeinwohl*) in certain fields neglected by traditional interest groups that represent an essentially materialist mission. Many of these groups are branches of transnational NGOs or cooperate with them, such as Greenpeace and Amnesty International. They have gained unprecedented popularity by spectacular displays aimed at garnering media attention; for example, occupying parts of factories claiming they are responsible for

environmental pollution. Many of these groups are able to mobilise large numbers of supporters to pressurise political parties and institutions.

Clearly, the dynamics of interest representation keeps pace with the changes happening within the German political party system. This, in combination with the trends already discussed, has affected interest group strategies and these groups' activities.

Interest groups and politics: Channels of influence

Interest groups use various channels to influence political decision making and decision makers. The instrument or tactics an interest group uses depends on the resources available and the issue at stake. For instance, if an action targets the legislative process a group will try to persuade members of parliament or the ministerial bureaucracy. If a group launches a public campaign against genetically modified plants, it will try to harness the media's attention in an attempt to influence public opinion.

There are four common channels of influence or methods which are summarised in the following section.

Lobbying parliament

Traditionally, interest groups lobby Members of Parliament (MPs). This form of lobbying is over 150 years old and can be carried out in different ways; for example, offering both financial and logistical support to the election of MPs who belong to a certain interest group. Since Germany (like South Africa) has a proportional electoral system with closed lists drafted by the parties, the interest group needs close relations or contacts within the party. In Germany, the share of members of the Bundestag who are also members of at least one interest group is high – roughly 25 per cent of the SPD MPs are also members of a trade union or related institution. This is similar to South Africa where many ANC MPs are also members of Cosatu trade unions. MPs from conservative parties in Germany, however, have more members from business and professional groups. In some cases, interest groups have a massive presence in parliamentary committees, for example the Farmers Association in Germany dominates the Committee for Agriculture. In fact, the relations between the MPs serving on this committee and the Farmers Association became symbiotic – the committee degenerated temporarily into an advocate for the group's interests.

Another tactic interest groups use is to build formal affiliations or informal contact with MPs and offer them valuable but biased expertise. Invariably, they are also able to schedule specific experts to testify before parliamentary committees and expert meetings of parliamentary parties or at the invitation of parliamentary commissions of inquiry. However, in contrast to the US, public hearings are not common in Germany.

The history of interest groups reveals that the German government has always tried to regulate their influence. Indeed, the rule of procedure for the German

Bundestag and other institutions includes detailed regulations to limit interest-group influence. In addition, in 1972 the government introduced a so-called list of lobbying organisations that allowed only registered groups to access parliament. To register, organisations have to provide basic information about the organisation (for example address, contact details, number of members) to the parliament's administration division. The number of registered lobby organisations has grown considerably: in 1974, only 635 organisations had been registered, but the most recent list from May 2010 includes 2 161 lobby groups listed on over 500 pages.²¹ In total, over 4 500 lobbyists have access to parliament that is guaranteed by law.²²

Public communication

Communicating with the public is perhaps the most important tactic interest groups can use. Their aim is to influence public opinion to create a favourable environment for their interests. Since political parties and individual politicians rely on public opinion for re-election, swaying it can influence both parties' campaigns and parliamentary legislation. In addition, there are various avenues for interest groups to use. For example, 20 years ago the government allowed private television and radio to determine their own content, effectively opening up new channels of influence for interest groups since the private media is easier to influence than public television. As a result, the media now plays a much bigger role in politics, with scholars dubbing Germany a 'media society'.²³

The direct path to power: Interest groups and the ministerial bureaucracy

The interest associations do not only monitor legislation, they also try to influence the ministerial bureaucracy (*ministerialbürokratie*). The government and the ministries initiate most laws; therefore, the ministerial bureaucracy is the most important target for interest groups. For interest groups, the goal is to influence laws or to hinder them so that the process can be postponed or the content and scope of laws watered down.

Professionalised lobbying

Lobbying by interest groups in different forms is not a new phenomenon. But the experience of recent years proves that interest groups have professionalised their activities. For example, they have hired experts and highly specialised law firms to lobby for their cause; there is a close, even symbiotic, relationship between interest groups and their lobbyists on the one hand and administrators, politicians and decision makers on the other; and they have systematically organised campaigns that address the broader public.

However, lobbying is not the same as interest representation.²⁴ In principle, there is no difference between lobbying and representing conventional interest groups. Instead, it is the extent to which interest groups use certain techniques to make a difference.

Individual companies or associations with very specific interests often use modern lobbying techniques.²⁵ In contrast to many interest groups, lobbyists are not usually interested in publicity. Their main activities include information gathering, building key relationships and organising meetings with politicians and administrators. Most relationships are informal and non-transparent and are usually only built by insiders who know the internal structure of ministries. Therefore, former civil servants or politicians often establish commercial companies to market their network once they have left office.²⁶ In fact, Thomas Leif and Rudolph Speth²⁷ estimate that approximately 30 to 40 so-called public affairs agencies and probably a dozen law firms offer such services.

Customers of these public affairs agencies are not exclusively companies or interest groups from the economic sphere; NGOs also use their services. And even the ministerial bureaucracy benefits from the expertise these lobby groups have in highly specialised fields. In fact, as the press recently reported, certain interest groups, mostly through hired experts, have written complete legislation for and accepted by various government ministries.²⁸ These cases of ‘outsourced law-making’ demonstrate that a dense network between the ministerial bureaucracy and some interest groups does indeed exist and that the difference between representative institutions and private interests are blurred.

The practice of outsourcing laws is justified by the ministries with two arguments: the law firms offer valuable expertise from specialists; and they help to cut costs. However, because the political costs are neglected, the German Bundestag becomes less relevant and the whole process lacks transparency. Even the red-green coalition introduced a programme to transfer experts from interest groups directly into different ministries. This practice of ‘leased civil servants’ (*Leihbeamte*) has been criticised by journalists and a report by the Federal Court of Audit (*Bundesrechnungshof*) cited its risks to the independence of public administration.

Finally, money has always been involved in lobbying. Aside from corruption and other criminal practices, which exist but not in the usual way,²⁹ a new grey zone has emerged including sponsoring private events, donations in the form of luxury goods and paying outstanding honorariums in return for unsubstantiated services.

The growth of lobbying with its specific new instruments and spectacular cases has revitalised concerns for the common good and fuelled claims for tighter control. There is a tendency among scholars and journalists to criticise the work of lobbyists. This critique³⁰ does not condemn interest group activities in general, but instead refers to recent developments that have spurred the public’s ire. In general, interest groups are perceived as a ‘silent power’³¹ or even as the ‘fifth branch of government’.³² This is often with disastrous effects, as the case of the energy sector where four companies controlled the German market proved. As a result, even in times of decreasing production costs for electric energy, prices are steadily increasing. The pro-nuclear

energy lobby successfully lobbied the federal government for a lifetime extension of nuclear power plants.

However, mainstream research argues that critical authors are ‘demonising’ lobbying by exaggerating individual cases and the danger of lobbying.³³ To them, the increasing number of problematic cases is the result of a closer cooperation between interest groups and decision makers, which is necessary in a more and more complex society. They maintain that with their specific expertise interest groups can make government more effective and adequate. However, they concede that without greater transparency, the danger of manipulating the administration to the benefit of specific and particular interests remains high. In certain sectors, such as in the abovementioned energy sector, the critique must be taken seriously because here the ‘common good’ of the average citizen, the consumer, has so far been neglected. The sector needs effective institutions and regulations that are monitored by the media to control its activities and to protect public interests. Furthermore, they cite the need to strengthen the position of the Bundestag and guarantee the Federal Court of Audit’s autonomy as crucial if stricter control of lobbying activities is to be effective.

Political parties and interest groups: Still a symbiosis?

Political parties are a key feature of representative democracy. Unlike in the US, political parties in Germany are, besides the ministerial bureaucracy, one of the key factors in interest-group politics. In this respect, the South African system is similar to the German system. In both parliamentary systems of government, political parties play an important role and are often the electoral machines. The main and obvious difference is that interest groups in South Africa must concentrate their lobby activities on the one dominant party – the ANC. Indeed, interest groups in South Africa, with the important exception of the Western Cape which is governed by the DA, have no real alternatives. In theory, the ANC’s political dominance bolsters the party against interest groups and their actions. However, in reality, interest groups compete inside the ‘broad church’, as the ANC is often called, or they try to become part of the party’s various factions.³⁴ Thanks to the country’s nefarious political history, equal access to the ANC is difficult for many interest groups previously allied to the apartheid system. Therefore, these groups cannot build links to the party and are subsequently under-represented.

Clearly, the intense interplay between interest groups and political parties depends on the structure of the party system and the type of parties in power. Both factors decide whether and how interest groups can influence politics.

From ultra-stability to colourful coalitions: The changing structure of the party system

For decades, up until 1983, Germany was a cohesive and stable party system with over 75 per cent of voters choosing either of the two *Volksparteien*³⁵ (People's Parties).³⁶ Ideologically, the two *Volksparteien* were a moderate centre-left (SPD) and a centre-right party (CDU).

Formed after World War II, the CDU is a moderate conservative, bi-confessional party³⁷ that won the founding elections of the second German democracy in 1949. Under the leadership of Konrad Adenauer and against the background of Germany's economic miracle, the party increased its votes in the subsequent elections. It incorporated several smaller parties belonging to the same ideological camp, and in 1957 the party won an absolute majority. This was the first (and up to now the last time) that a party could govern without a coalition partner.

The SPD, however, developed from a socialist party into a socio-democratic party after the release of the famous *Godesberger Program* in 1959. This landmark decision paved the way for the party to become a *Volkspartei*. Subsequently, the SPD, the traditional party of the blue-collar workforce, became more moderate and attracted more middle-class voters. These internal changes brought success: after forming a grand coalition in 1966 with the CDU the SPD won the elections in 1969 and formed a coalition with the liberal party.

The ultra-stable party system began to change when the Greens entered the parliamentary arena winning a crucial five per cent of the votes in 1983.³⁸ According to Lees,³⁹ the deconcentration process of the party system started because: 'In Germany, the combined effects of electoral dealignment and post-materialist value orientations associated with the new politics were to introduce an element of unpredictability previously alien to the cosy political consensus of the post-war Federal Republic.'

Moreover, the shift from the Bonn to the Berlin Republic further aggravated the dynamics within the party.⁴⁰ The integration of 17 million Easterners with different political traditions and culture in 1990 had pronounced effects on the German party system. For instance, the Party of Democratic Socialism (PDS)⁴¹ was founded as the successor to the Socialist party of the former GDR. After merging with a West German small and unorthodox left-wing group, the new party became *Die Linke* (The Left). Soon, *Die Linke* became a serious competitor for the SPD. The party, with its charismatic leaders Gregor Gysi and Oskar Lafontaine (a former SPD heavyweight), succeeded in jumping over the five per cent threshold, even in the western parts of Germany. Although *Die Linke* is mainly an ideological party, its strongholds are the five new *Bundesländer* where it received, in some elections, more votes than the SPD or CDU and is part of a coalition government in some of the *Bundesländer*. It is safe to say that on the regional level there are two party systems in one country, because the PDS and its successor *Die Linke* are *Volksparteien* only in the five *Bundesländer* in the

east of Germany, whereas in the west the party usually receives between three and 10 per cent of the votes.

The changes after 1990, combined with long-term trends such as the weaker significance of traditional social cleavages, led to more parties and a much wider ideological range, effectively creating a different political and strategic environment. In fact, the five-party system increased the range of possible coalitions on the national and regional levels,⁴² making the German Republic more ‘colourful’.⁴³ In addition, governments are more difficult to predict because of a growing volatility, thanks in part to a long-term decline in party identification that has increased voter volatility.

Surprisingly, there is hardly any discussion about which consequences the new German party system will have for interest groups. In general, the party system’s new complexity will make the strategic choices for interest groups more complicated. For instance, should we support candidate A from party X or candidate B from party Y? In addition, is it useful to build ties with this or that party?

However, their ideological affinities tend to limit possible partners. Currently, this is a key question for the SPD because many groups sympathetic to the political left are debating whether supporting *Die Linke* will best suit their interests. Eventually, it will be only rational for interest groups to broaden their strategies and not focus exclusively on one party, even if this decision requires more energy and effort.

In addition, interest groups are particularly concerned with the type of political party they engage. For example, the *Volkspartei*, a party that is less ideological, and more pragmatic and open to different groups, is characteristic of the German party system – the end of the Cold War reinforced this de-ideologisation and openness. Therefore, interest groups have relatively easy access to the *Volksparteien*. There are segments or factions in every *Volkspartei* that are potential allies and these segments tend to operate as a kind of portal providing the interest group with access to different levels of government.

A recent study indirectly supports this argument. The authors⁴⁴ questioned which factors caused the ideological positions of political parties in Western Europe to change. The quantitative empirical test included two factors, namely the global economic conditions and public opinion. The result was surprising; both the centre and the right-wing parties reacted and altered their ideological positions (for example their party manifestos) as a result of the pressure of a globalised economy and public opinion.

Curiously, however, the left-wing parties did not. In fact, there is no empirical evidence to prove that either of these factors influenced left-leaning parties. Their ideological flexibility was shaped thanks to the strength of their ideological orientation (‘policy seeking versus office seeking’⁴⁵), their mission to influence public opinion and to not be influenced by it, and their strong formal ties to interest groups. In addition, their paid-up members were organised into tight structures that resisted change. These findings affected the strategic choices interest groups made. For example, for interest

groups intent on using a change in public opinion to influence political parties, non-ideological parties such as the *Völksparteien* or catch-all parties are more promising targets than left-wing parties.

Unlike the US, during election cycles Germany does not have the equivalent of Political Action Committees (PACs). Parties, not interest groups or PACs, run and finance campaigns. In fact, only a few interest groups publicly support a specific political party and most try to avoid associating with only one party. Unfortunately, thanks to many prominent cases, they cannot eschew their image. The most obvious example is the German trade unions with their historically close ties to the Social Democrats; many SPD-MPs are members of a trade union. (The situation is similar to South Africa, where many ANC politicians are also trade unionists; that is, 'wearing two hats'.) In Germany, during the last two decades, the ties between the Social Democrats and trade unions weakened because trade union membership grew more politically diverse. In addition, the unions felt uneasy about Chancellor Schroeder who led an SPD/Greens coalition (1998–2005) – Schroeder's Agenda2000 programme included cuts to social services (the so-called Hartz reforms) which trade unions and the leftists within the SPD strongly opposed. The unions' shrinking membership has also affected their ability to support the SPD. In fact, the SPD is less a party of blue-collar workers and more and more the party representing state employees in public service, especially teachers.

Public interest groups and advocacy coalitions

The Anglo-American literature distinguishes between private and public interest groups. Whereas private interest groups pursue relatively narrow, mainly economic interests, public interest groups concentrate on issues that are of concern to the general public. For example, these groups promote environmental protection, social justice, human rights, democratic governance and consumer rights. Many of these NGOs are non-profit organisations that, as 'moral entrepreneurs', try to be autonomous from the state and litter societies across the globe. They proliferated thanks to the post-materialist values large segments of western societies adopted. According to sociologist Ronald Inglehart, these post-materialist values have systematically replaced the materialist and economic orientations since the late 1970s. Some of these NGOs – Amnesty International, Green Peace and Oxfam – have become international actors with the resources to challenge international business and governments.

In fact, the work of NGOs has become much easier due to technological innovations in the field of communication. The Internet and cell phones allow these organisations to mobilise across borders and to react quickly. In Germany, NGOs and social movements are well organised especially in the field of environment protection. They often form powerful alliances – so-called advocacy coalitions⁴⁶ – with the Green Party and other stakeholders such as local government agencies or traditional interest

groups. The successful anti-nuclear movement in Germany is a perfect case in point. Owing to massive protests and media campaigns, the majority of Germans oppose the use of nuclear energy. This, and the emerging mass movement, has dramatically affected German party politics effectively forcing the coalition between the Social Democrats and the Greens and the Grand coalition between CDU and SPD to agree to close all nuclear power plants after a predetermined transition period.

In another example, an advocacy coalition intent on stopping a mega-infrastructure project in south-west Germany emerged in 2010. Here, the restructuring of the central train station in the city of Stuttgart (the so-called Stuttgart 21-project with a financial volume of approximately US\$10 billion) met strong political resistance from a citizens' initiative with strong links to the Green party. When opinion polls revealed that the regional government might lose the upcoming elections in spring 2011, the interplay between the powerful advocacy coalition and the media realised it could trigger political change. However, the case highlights key questions about the role public interest groups and advocacy coalitions play in German democracy. While the legitimacy of the mass demonstrations is not openly discussed, political observers do stress that the decision to pursue the project was the result of a democratic process. In fact, it has taken some 15 years for governments on local and regional level, and the regional and the national parliaments to decide to carry out the project. Meanwhile, the largely extra-parliamentary opposition opposes the democratic decisions made by the various governments and questions both the legitimacy of the protests and whether the democratic procedures should indeed be accepted. Currently, the case is far from being resolved but negotiations under the guidance of a mediator have started and, thanks to the German corporatist tradition, a compromise might be possible.

Conclusion

Today, interest groups and the broad spectre of their lobbying activities are a normal feature of German politics. Indeed, Germany has a wide spectrum of well-organised groups using different channels to influence politics. The Constitution (the so-called Basic Law) guarantees the existence of interest groups and ordinary laws define the framework for their activities. The interest group system is highly institutionalised with close ties to decision makers and political parties. But from the 1980s a process of pluralisation could be observed. There are more groups in all sectors of society and the more established groups in the socio-economic sphere face stronger competition. New players and activities, especially the value-based activities of public interest groups and NGOs, gained substantial influence by forming advocacy coalitions, often with political parties as allies during the last two decades. In addition, the European integration process has increased competition; it has paved the way for a new and difficult arena for interest groups.

This is a relatively new feature of German politics and, even today, many Germans

are critical of interest groups. As Michael Wolf (in this volume) argues, there is also a love-hate relationship between interest groups and society in the US. In Germany, whereas the mere existence of interest groups and their role as an intermediate institution between the state and the people is widely accepted, the influence of certain groups on political decision making and policy formulation is often criticised, even condemned, as detrimental for democracy and justice. A controversial debate about modern, professionalised forms of lobbying is widely raised in the media and at public forums. Critics often regard interest groups as a hidden, clandestine power pursuing narrow and partial interests at the expense of the common good of society. The reality is more complex because no one group dominates the process, despite spectacular cases of successful lobbying.⁴⁷ In fact, interest groups offer additional channels for participation and increase the legitimacy and acceptance of the political system.

The amount of access interest groups have to the system depends largely on the type of political parties and the structure of the party system. The character of the German parties – the Volksparteien-type – offers easy access to political parties and indirectly to the government. The de-concentration of the German party system means that interest groups will have to change their tactics and strategies. But this will only strengthen the trend towards direct lobbying.

Relevance for South Africa

Although every political system is unique owing to its unique history, different political and societal developments, solutions and best practices from other countries and societies can provide some pointers and, at the very least, some discussion. Compared to mature industrial democracies such as the US or Germany, interest group representation in South Africa is still in its infancy. This is not surprising since the new democratic system emerged only 17 years ago. Also unsurprising is the fact that there is not much sophisticated research on the work of interest groups, lobbying included, their relationships with political parties, and their role in influencing public opinion.

However, South Africa is in a comfortable position to review experiences in other countries, avoid their mistakes and adapt innovative solutions found abroad to its unique situation. Against the experience of interest group representation in the US and especially Germany, which is in historical terms also a democratic latecomer, the following general arguments might be relevant for South Africa to guarantee the potential interest groups have to contribute to the common good of all South Africans:

- Intensified research and education on interest groups and their influence on decision making is desperately needed. University and high school education should include information on interest group work. In addition, the public should be made aware of these groups and their issues. This would foster a greater understanding of real policy processes and would go beyond mere education about formal institutions.

- The law should guarantee interest groups' access to decision makers. However, this access should be regulated by law and controlled by voluntary codes of conduct – for instance, obligatory lobby lists and clear procedures that guarantee transparent access to ministries and the Presidency.
- Independent institutions should be able to observe, regulate and control interest groups' access to politics. Ideally, these institutions should be linked to courts and this can be done by new or already existing institutions such as the Public Protector.
- South Africa urgently needs clear regulations concerning donations by interest groups for political parties. Again, transparency is crucial.
- Non-coercive corporatism should be fostered and maintained to strengthen a culture of compromise based on mutual trust. It is necessary to include as many groups as possible to reduce the probability of conflicts. Ideally, corporatist arrangement should be extended beyond the sphere of socio-economic issues.

Apart from formal and institutionalised checks, the independent media and civil society organisations can play a crucial role in monitoring interest group activities. Their investigative work should not be regarded as intrusive although it might be inconvenient for government officials and administrators.

Notes

- 1 In this chapter, the term 'interest group' is used synonymously with advocacy group.
- 2 Fraenkel, E. 1979. *Deutschland und die westlichen Demokratien*. Stuttgart: Kohlhammer.
- 3 Sebaldt, M. and Straßner, A. 2004. *Verbände in der Bundesrepublik Deutschland*. Wiesbaden: VS Verlag/Springer: 59–68.
- 4 Estimations for Germany speak of approximately 50 000 social movements (*Bürgerinitiativen* or citizens' initiatives), most of them acting locally. Many of them have the character of self-help organisations.
- 5 Sebaldt, M. and Straßner, A. 2004. *Verbände in der Bundesrepublik Deutschland*. Wiesbaden: VS Verlag/Springer: 96; Straßner, A. 2006. Funktionen von Verbänden in der modernen Gesellschaft, in *ApuZ*, 15–16/2010: 10–17.
- 6 The formation of elites in interest groups is inevitable because large groups need leadership. The German sociologist Robert Michels spoke as early as 1911 of the 'iron law of oligarchy' in the formation of parties and groups. He conducted his seminal research on the German Social Democratic Party (SPD). See: Michels, R. 1911. *Zur Soziologie des Parteiwesens in der modernen Demokratie. Untersuchungen über die oligarchischen Tendenzen des Gruppenlebens*. Leipzig: W. Klinkhardt.
- 7 Translation by Federal Ministry of the Interior, <http://www.iuscomp.org/gla/statutes/GG.htm#21>.

- 8 There are also additional sources of revenue for parties, such as membership fees and direct financial support from the government for various activities (political education, support for parliamentary work etc.).
- 9 The Constitution Court, for example, ruled out dozens of extremist paramilitary right-wing groups during the last 50 years.
- 10 In South Africa, the National Economic Development and Labour Council (Nedlac) tries to find a compromise. The remarkable difference between South Africa and Germany lies in the fact that the basis consensus on economic and social matters is weaker in South Africa for historical reasons and the huge social inequalities than in Germany.
- 11 Czada, R. 2006. Demokratietypen, institutionelle Dynamik und Interessenvermittlung: Das Konzept der Verhandlungsdemokratie, in Lauth, H. (ed.) *Vergleichende Regierungslehre*. Wiesbaden: VS Verlag: 247–269.
- 12 Butler, A. 2009. *Contemporary South Africa*. Basingstoke: Palgrave MacMillan: 74.
- 13 The Belgian capital has become a synonym for the EU.
- 14 Conflicts emerged especially in education policy about the church influence on schools.
- 15 Besides there are formal interest groups, approximately 500 000 voluntary associations, mostly active in recreation and sports.
- 16 Van Schendelen, R. 2003. Brussels: the premier league of lobbying, in: Leif, T. and Speth, R. (eds.) *Die stille Macht. Lobbyismus in Deutschland*. Wiesbaden: VS Verlag: 303.
- 17 Woll, C. 2006. Herrschaft der Lobbyisten in der Europäischen Union? in *ApuZ*, 15–16/2010: 34.
- 18 Both trade unions and employers defend the Tarifautonomie. When the German Minister for Economic Affairs, Rainer Brüderle (FDP), recommended substantial wage increases in October 2010 he was criticised not only by employer organisations but also by trade unions because of his interference in the *Tarifautonomie*.
- 19 Sebaldt, M. and Straßner, A. 2004. *Verbände in der Bundesrepublik Deutschland*. Wiesbaden: VS Verlag: 59–68.
- 20 In addition, the reunification process affected the churches since over 30 per cent of East Germans were not member of a church, had no religious traditions or were atheists. Atheism was the official state doctrine in communist society for over 40 years.
- 21 The list is available and downloadable from the homepage of the German parliament, see <http://www.bundestag.de/dokumente/parlamentsarchiv/sachgeb/lobbyliste/lobbylisteamtlich.pdf>.
- 22 Leif, T. 2010. Von der Symbiose zur Systemkrise. in *Aus Politik und Zeitgeschichte*, 19/2010: 5.
- 23 Sarcinelli, U. 2009. *Politische Kommunikation in Deutschland. Zur Politikvermittlung im demokratischen System*. Wiesbaden: VS Verlag.
- 24 Leif, T. and Speth, R. 2006. Die fünfte Gewalt – Anatomie des Lobbyismus in Deutschland, in Leif, T. and Speth, R. (eds.): *Die fünfte Gewalt. Lobbyismus in Deutschland*. Bonn: VS Verlag: 36.
- 25 Approximately 1 000 companies have offices in the capital Berlin and 100 companies have individual liaison offices.
- 26 There are also a growing number of top politicians starting a career in business after they lose office. A recent example is former Chancellor Schroeder (SPD) who became a member of the Board of Directors of the Russian oil and gas company Gazprom.

- 27 Leif, T. and Speth, R. 2006. Die fünfte Gewalt – Anatomie des Lobbyismus in Deutschland, in Leif, T. and Speth, R. (eds.): *Die fünfte Gewalt. Lobbyismus in Deutschland*. Bonn: VS Verlag: 22.
- 28 In August 2009, journalists found evidence that a law firm had written the text of a law regulating financial matters in relation to recent bank crashes for the ministry of economics. This 'outsourcing' of law making has been done by different government departments in over 60 cases since the year 2000 (see <http://www.spiegel.de/politik/deutschland/0,1518,657917,00.html>).
- 29 If corruption is detected and prosecuted adequately, companies face the risk of a negative image or even exclusion from public tenders. This makes larger and respected companies in particular more cautious.
- 30 Leif, T. and Speth, R. (eds.) 2003. *Die stille Macht. Lobbyismus in Deutschland*. Wiesbaden: VS Verlag; Leif, T. and Speth, R. 2006. Die fünfte Gewalt – Anatomie des Lobbyismus in Deutschland, in Leif, T. and Speth, R. (eds.): *Die fünfte Gewalt. Lobbyismus in Deutschland*. Bonn: VS Verlag; and, Leif, T. 2010. Von der Symbiose zur Systemkrise. in *Aus Politik und Zeitgeschichte*, 19/2010.
- 31 Leif, T. and Speth, R. (eds.) 2003. *Die stille Macht. Lobbyismus in Deutschland*. Wiesbaden: VS Verlag.
- 32 Leif, T. and Speth, R. 2006. Die fünfte Gewalt – Anatomie des Lobbyismus in Deutschland, in Leif, T. and Speth, R. (eds.): *Die fünfte Gewalt. Lobbyismus in Deutschland*. Bonn: VS Verlag.
- 33 Kleinfeld, R., Willems, U. and Zimmer, A. (eds.) 2007. *Lobbying: Strukturen. Akteure. Strategien*. Wiesbaden: VS Verlag; Sebaldt, M. and Straßner, A. 2004. *Verbände in der Bundesrepublik Deutschland*. Wiesbaden: VS Verlag/Springer: 59–68; Pfetsch, B. 2001. „Amerikanisierung' der politischen Kommunikation? in *ApuZ*, 41–42: 27–36.
- 34 Schmidt, S. 2006. Faktionismus im African National Congress (ANC). in Köllner, P. et al. (Hg.) *Faktionismus in politischen Parteien: Innerparteiliche Machtgruppen im internationalen Vergleich*. Frankfurt : Campus: 157– 188; Gumede, W. 2005. *Thabo Mbeki and the battle for the soul of the ANC*. Cape Town: Zebra Press.
- 35 One difference between a catch-all party and a Volkspartei (People's Party) is the weak ideological basis of catch-all parties. A Volkspartei can be more ideological although it tries to attract different groups but from a certain political camp or laager.
- 36 Paterson, W. 2000. From the Bonn to the Berlin Republic. in *German Politics*, 9: 23–40.
- 37 This was a main difference from conservative ancestors in the Weimar Republic, such as the Catholic Zentrum Party.
- 38 In contrast to South Africa, there is a 5 per cent threshold for parties to gain seats in the parliament. Parties with less than 5 per cent of the total vote and no directly elected MP are not represented in parliament. This clause was introduced in 1953 to avoid a highly fragmented party system. A similar rule in South Africa would force smaller opposition parties into mergers or coalitions for the elections.
- 39 Lees, C. 2006. The German Party System(s) in 2005: A return to Volkspartei dominance. In *German Politics*, 15(4): 363.
- 40 See Patterson, WE. 2000. From Bonn to the Berlin Republic. In *German Politics*, 9(1): 23–40.
- 41 The party merged with the WASG and changed its name into *Die Linke* (The Left) in 2007.

- 42 Even new parties may play a role. In 2009 the Pirate Party, mainly a one-issue party (Internet freedom) won 2 per cent (850 000 votes) in the last German national election.
- 43 In Germany, parties are associated with colours: black is used for the conservative parties, yellow for the liberals (FDP), green for the Greens, red for the left-wing parties (SPD, *Die Linke*) and brown for right-wing or fascist parties.
- 44 Adams, J., Haupt, A. and Stoll, H. 2009. What moves parties? The role of public opinion and global economic conditions in Western Europe. In *Comparative Political Studies*, 42(5): 611–639.
- 45 Adams, J., Haupt, A. and Stoll, H. 2009. What moves parties? The role of public opinion and global economic conditions in Western Europe. In *Comparative Political Studies*, 42(5): 615.
- 46 Sabatier, P., and Jenkins-Smith, H. (eds.) 1993. *Policy Change and Learning: An Advocacy Coalition Approach*. Boulder: Westview Press.
- 47 A good example is how interest groups and individual entrepreneurs from the hotel and guesthouse sector successfully lobbied to reduce the value-added tax charged at these establishments.

Understanding the South African political psyche

Paulus Zulu

South African politics in perspective

Distinctive historical developments make South Africa an atypical developing democracy that is also uncharacteristic of democracies in general. It is highly unlikely that South Africa would hold elections and disregard the outcome as happened in Kenya and in Zimbabwe, for instance. However, South Africa, unlike Western Europe, the US, Japan and India, does not have a well-balanced competitive multi-party democracy where two or three dominant political parties have an equal chance of governing the country. The Conservative and Labour Parties in the UK, the US Democratic and Republican Parties, the Social and Christian Democrats in Western Europe, and the Congress and the Socialist Parties in India, are all prime examples.

Politics in South Africa is structured mainly along racial lines, which inevitably entrenches ethnic or racial political perceptions and behaviour. Unfortunately, despite its competitive multi-party system, this ethnic or racial bias skews South African campaign politics in favour of one dominant political party. This pattern dates back to 1910 when the British granted the nation's independence and the Union of South Africa was formed. Under the Union, only two White ethnic groups were eligible to vote (the English and the Afrikaner) while the indigenous Black majority and the Coloured and Asian minorities became non-citizens. South African politics, therefore, assumed two polarised positions – the politics of the insiders and that of the outsiders with those inside the political ring shutting gates against the persistent knockings from the outsiders.

Simultaneously, various political cultures, all shaped by aggregate political experiences but not necessarily ethnically uniform, evolved. First, the insiders themselves were split into a conservative exclusivist political culture – anchored in the two northern republics of the Orange Free State and the Transvaal – and a quasi-liberal political culture – based in the Cape Colony and Natal – which was conveniently located half-way between the Cape Colony and the two northern republics. On their own, Blacks were united by their uniform exclusion, which effectively undermined and downplayed any internal or regional differences. And because Coloureds and Asians were sandwiched between Blacks and Whites, the White insiders considered them with relatively less suspicion compared to the Black majority. Not accepted as insiders by the White ruling bloc, and unwilling to be lumped together with the bottom rung in

the hierarchical ladder of exclusion, they developed an ambivalent political culture of their own. However, their numbers prevented them from developing an independent ethnic vision, forcing them to align themselves pragmatically with the excluded Black majority.

Despite these broad political formations, a transcendental political consciousness developed, often forcing individuals from their ethnic enclaves and stereotypes. This development is not only pertinent to understanding South Africa's political psyche and behaviour; it also explains why the ANC has been so dominant since 1994.

The politics of power and material wellbeing

While politics in general is about access to office and maximising its prerogative and privilege,¹ in South Africa the perfect overlap between race, political control and material wellbeing has made politics distinctively ethnic or racial. Not only did the White insiders enjoy a visibly superior lifestyle – beautiful suburbs, large residential mansions, massive commercial farms, private investments and conspicuous consumption expressed in luxury goods such as cars and other artefacts – they also had absolute control over the destiny of the subordinate populations. Outsiders in general, and the Black majority in particular, were forced to work at the behest of the controlling power bloc, live in poor housing in urban ghettos and slums or eke out subsistence living conditions in rural areas, travel long distances to work and watch their children die as infants from malnutrition and poor living conditions. Such existential experiences raised the political stakes for the insiders, since losing political control meant losing their power and privilege, and spurred demands from outsiders who wanted the same entitlements as their masters.

This is what makes South African politics a unique structure with an almost paranoid political psyche marked by mutual distrust.

Theories of political participation

In their paper entitled 'A Resource Model of Political Participation', Henry Brady and Sydney Verba suggest that three factors account for citizen participation in politics: resources (time, funds and civic skills); a psychological engagement that requires an interest in politics including concern with public issues and membership in a group with shared political interests; and recruiting networks through which citizens are politically mobilised.² However, Brady and Verba do not explain how these factors influence an individual's political psyche. Indeed, the psyche directs an individual's choice of candidate or representative, their need to form assemblies and their choice of political parties.

In his book the *Economic Theory of Democracy*, Anthony Downs posits that democracy is determined by economic variables that can be extrapolated into an economic theory of political participation, since democracy almost equals political

participation. Furthermore, Downs like Joseph Schumpeter, argues that elected officials are motivated by personal entrepreneurial goals rather than by an altruistic desire or citizen duty to carry out their social functions. In fact, as Schumpeter argues:

... political parties in democracies really behave just like competing private entrepreneurs. They are not directly motivated to pursue their social functions. Rather their private motives are separate from those functions. Thus the social function of General Motors is to produce automobiles and trucks, but its leaders and pioneers are motivated by making profits. A similar division of social function and private motivation exists within democratic political parties. Their social function is to formulate and carry out government policies, but their motivation is different. It is to get elected and to remain in power so as to enjoy the pre-requisites and privileges of office as long as possible.³

The last sentence appropriately describes a number of African democracies turned dictatorships, and probably explains the instrumental value of politics in the South African context.

Downs's economic theory of political participation explains why political parties and activists seek election but it is silent on what motivates ordinary citizens as voters. Attempting to redress this, Downs posits a sub-thesis he loosely calls 'information costs'. It essentially suggests that, in a representative democracy, the voting public are rationally ignorant of government affairs. He argues that it is 'not reasonable for voters to stay well informed about the details of government, or whether or not the people they elect kept their promises. Doing so could not affect their lives very significantly but would consume a lot of their valuable time and effort'.⁴

Nevertheless, Downs, like Verba and Brady, only argues a half-rational theory of political participation. None explain why, despite their low information, voters are so persistent in their loyalty to specific political parties. What drives the psyche of party identification, which appears so pervasive in voter behaviour? Why do voters, where voting is the most expressive and decisive act in political participation, a) vote at all, and b) vote for certain political parties and/or for specific candidates in elections?

Downs' answer is that ideology drives political participation and the electoral structure. Therefore, the ideological distribution of voters shapes the electoral outcome in a given polity.⁵ And Samuel Popkin's theory of the reasoning voter supports Downs's argument, postulating that, given their low information, voters use information shortcuts to construct a narrative about candidates and political parties. Effectively, voters use information from a variety of sources including the media, their personal circumstances and past party performance to decide their party identification and ideology.⁶

Donald Kinder and Roderick Kiewiet, however, hypothesise that political action, including political choice, is motivated by collective economic perceptions more

than by immediate individual economic circumstances.⁷ Their perceptions are then reconciled with party political affiliation and their perceptions of the candidates seeking election. It is not that personal economic conditions and grievances are politically unimportant to the voting public, but rather that voters itemise and fragment their individual circumstances to keep themselves autonomous from political life.

If one follows this select set of theoretical propositions, one can conclude that in South Africa's representative democracy, political participation is at least partially a rational act where candidates are motivated by the chance to gain personal power and the prerequisites and privileges of office. Public service and duty such as writing government policy are necessary but secondary by-products. On their part, voters hope that elected candidates will deliver much needed public goods and services.

In addition, because of South Africa's proportional representation, political office is primarily the purview of political representatives and is generally inaccessible to individual voters. Therefore, the recipient public relies on the goodwill and integrity of representatives to allocate any benefits equitably.

Finally, one can argue that collective economic or political judgements, rather than immediate individual economic circumstances, direct public political action in a specific partisan direction. This is particularly important in the South African system where voters' partisan attitudes play a significant role in political participation.

But where does this position the South African political psyche given that economic wellbeing has been collectivised and organised around group lines, and that power and control depend on group membership rather than on individual attributes?

Is there a South African political psyche?

There are three factors that significantly determine the South African political psyche. The first is ethnic group membership. The term 'ethnic group', as used here, implies shared physical and social attributes and echoes Leo Kuper's multi-sociological connotation that treats both race and ethnicity interchangeably.⁸ According to Kuper, both ethnicity and race refer to the distinctive other, and use various categories and criteria in their formulations. He argues that skin colour is not the only distinguishing feature of race. It only makes race visible. There are social features or characteristics which also constitute race or ethnicity. He cites the intense animosity between the Hutu and the Tutsi in Rwanda and the enmity between the different ethnic constituents in the Balkans, finding them no different to the White and Black conflict-riddled societies where genetic origins define the 'in' and 'out' groups. In South Africa, because of its history of racial separation which made access to political power and economic privilege contingent upon race, political activity was organised along racial lines. Apartheid refined this by adding a geopolitical component through residential separation and the quasi-autonomous homeland governments' effectively redefining access to power and privilege. However, this is not an intractable position as the racial

variables are mediated by other factors such as personal experience and ideology, among others.

Second, demographic characteristics, such as education and occupation, have also shifted individuals out of traditional ethnic stereotypes. One therefore finds that better educated individuals from both sides of the ethnic divide find it relatively easier to transcend race and join political organisations on ideological rather than ethnic lines. And a third factor, where individuals are located in the social division of labour, is mediated more by ethnic rather than purely occupational attributes. As a result, the White working class identifies more closely with conservative exclusivist White political parties while the Black working class identifies with unions affiliated to the former liberation movements.

A common thread runs through these three factors. In South Africa, the dominant theme that determines politics is the almost complete overlap between political and economic power expressed in the politics of accumulation and the consequent social wellbeing. Access to political office translates into a monopoly of economic life chances, which the political elite dispense through patronage. This was true of Apartheid as it is true in the present politics of transformation. Objectively, both job reservation and Black Economic Empowerment (BEE) entail differential incorporation of individuals into structures of economic power. While job reservation promoted the White underclass and protected the White labour aristocracy in the past, BEE affirms and redresses the Black entrepreneur. Both rely on the politics of patronage thus directing energy into ethnic politics.

The South African political psyche is therefore largely determined by a defensive political instinct expressed in contending cultures of entitlement that operate antagonistically – one generated by the psychology of fear and the other shaped by the morality of restitution.

Demonstrating the South African political psyche

Very little research deals directly with the South African political psyche. However, since the demise of Apartheid, South Africa has held four general elections at national and provincial levels and three at local level. Second, since 1994, a series of opinion research polls assessing whether various sociopolitical and economic indicators can predict political behaviour in South Africa have been conducted. Analysing both the opinion surveys and the election results will demonstrate at least one significant aspect of political participation – that there is a relationship between political attitudes and voter behaviour.

It is difficult to demonstrate the three main determinants of the South African political psyche as constructed in this chapter; that is, ethnic group membership, demographic characteristics and the location of individuals in the social divisions of labour. Nevertheless, an approximate match between ethnic group membership and

voter behaviour is possible. It is also possible to calibrate correlations between political attitudes, group membership and social location.

A cursory analysis of voter behaviour in South Africa shows that, while the ballot itself is neutral, there is a correlation between race and the voter's choice of political party – largely because residence and ethnic group membership almost coincide. Despite transformation and the consequent legal integration, Apartheid's residential separation will take decades if not centuries to undo. Second, historic political party identification and the persistence of ethnically biased occupations mean that party political identification is still predominantly ethnic. Therefore, the available data seem to prove that political party identification and group membership determine political activity.

A study of voting trends in the four national and provincial elections held in South Africa between 1994 and 2009 shows two distinct but anticipated observations. The first is that support for political parties is largely determined by ethnic group membership, reinforcing the hypothesis that defensive political instincts, expressed in contending cultures of entitlement, operate as antagonistic forces. Blacks in general identify more with the governing ANC while the racial numerical minorities – Whites, Coloureds and Asians in that order – identify with the opposition parties; that is, the predominantly White Democratic Alliance (DA) as the main opposition and then with the Independent Democrats (ID) and the Minority Front (MF) respectively led by Coloured and Asian leadership. Evidently, political parties in South Africa operate from deeply contested social perceptions of reality.

The second observation is that politics is strongly associated with access to economic goods and services. This is because the electorate considers political parties as the main agents of either delivering much anticipated goods and services or protecting existing accumulations and privileges. This position was more pronounced at the beginning of the transition because there have been notable shifts in party identification since.

South Africa's 1994 'liberation elections' asked the electorate as a whole for the first time to decide their country's nature and direction – either continue the status quo or craft a new nation. Predictably, the ANC, as the party of liberation, attained a landslide victory snatching 12,24 million out of 19,53 million or 62,65 per cent of the total votes cast. Surveys polling potential voters revealed that the majority of the electorate, some 60 per cent, supported the ANC with slightly fewer than 30 per cent favouring various opposition parties. Desegregating the 1994 elections by race shows that 94 per cent of the ANC vote came from the Black population, 4 per cent from the Coloureds, 1,5 from Asians and 0,5 per cent from Whites. Put differently, 30 per cent of Coloureds, slightly less than 30 per cent of Asians and between 2 and 3 per cent of Whites voted for the ANC. Andrew Reynolds describes this observation as 'indicative of the ANC's failure to make inroads into the votes of the Whites, Coloureds and Asian communities'.⁹

The second largest vote went to the former ruling party, the National Party (NP), who had spearheaded and maintained Apartheid and its attendant power and privilege for almost half a century. The NP polled 3,9 million or 20 per cent of the votes cast winning support from Whites (49 per cent), Coloureds (30 per cent), Blacks (14 per cent), and Asians (7 per cent). Put differently, 65 per cent of Whites, between 60 and 70 per cent of Coloureds, between 3 and 4 per cent of Blacks and approximately 60 per cent of Asian voters chose the NP.

Reynolds maintains that since Whites accounted for 15 per cent of the electorate in 1994, a 20 per cent vote for the once exclusively White National Party signified that:

... many people who had never voted nationalist before, because they had never been allowed to vote before, did so in spite of years of repressive and blatantly racist Apartheid legislation directed at them. It is highly probable that FW De Klerk won the Asian and Coloured communities in South Africa by as large a margin as he won the White community.¹⁰

In fact, a series of opinion polls in 1993 highlighted Coloured and Asian non-support for the ANC, with Coloured voters, in particular, preferring the NP instead.

Furthermore, the 1999, 2004 and 2009 elections show that the aggregated results and political party identification are largely stable, proving that the overall ethnic or racial alignments remained the same. The NP, in particular, found it difficult to counter the electorate's fixed preferences. In 1997, it tried to change its image and distance itself from its past under the revised name, the New National Party (NNP). When support continued to flag, the NNP forged a strategic alliance with the Democratic Party, forming the Democratic Alliance (DA) in 2000. Unfortunately, this alliance also failed and the NNP finally dissolved into the ANC in 2005, guaranteeing a cabinet post for its former leader Martinus van Schalkwyk in the process.

However, despite South Africa's apparent ethnic bipolar politics, there is evidence that a subtle metamorphosis is currently underway, imperceptibly shifting the nation's hardened political psyche.

Collette Schulz Herzenberg has traced political party identification together with images of political parties through surveys carried out between 1994 and 2008. Her findings suggest that, while ethnic membership still largely determines political party identification, the situation has become more fluid resulting in a growing number of independents. She concludes: 'Between 1995 and 2008, non-partisans made up a substantial proportion of the eligible electorate, fluctuating between 36 per cent and 55 per cent.'¹¹ Even more significant is Schulz Herzenberg's discovery that this non-partisanship comes from across all racial groups.

To date, South Africa has had 17 years of post-Apartheid politics and, in this period, new variables besides ethnicity or race have cropped up. Conventional political science theory suggests that political behaviour is determined *inter alia* by demographic

variables such as education, social class (both Marxian and Weberian), ethnicity, party political identification and evaluating government performance – where government performance is closely associated with the political party in office. In line with political science literature, South Africans have demonstrated that although perceived shifts in government performance have a negative effect on party political identification, this has not altered the political psyche to the extent of causing a switch in voter behaviour.

An analysis of public opinion and voter preferences between 1994 and 1999 conducted by Robert Mattes, Helen Taylor and Cherrel Africa demonstrates that the South African electorate is fairly sophisticated, and engages discerningly with current issues.¹² The authors indicate that levels of voter optimism dropped dramatically between the latter part of 1997 and September 1998 – coinciding with the economy's decidedly lacklustre performance. Questions probing the overall direction of the country elicited the most negative responses, aggregating a level of pessimism of around 43 per cent. The most negative sentiments came from the White, Asian and Coloured segments of the population while Blacks were relatively less pessimistic, registering an average 53 per cent on the same indicators.

This begs the question: why were Blacks more optimistic? The authors aver that while performance in the overall economy fluctuated between 1994 and 1999, specific positive differential achievements also occurred. Liberation opened up access to political and economic power structures, a fact the ANC articulated in their Reconstruction and Development Programme (RDP). Indicators of reconstruction and development were by definition favourable to the Blacks because, for the first time, infrastructure was generally accessible – housing, electricity, water and sanitation, economic redistribution through affirmative action mainly expressed in ethnic and gender terms; and improved access to education, health and social security. In each indicator, government had performed satisfactorily and, given these moderate improvements, Blacks were understandably optimistic. Curiously, this optimism persisted despite an underperforming economy with steep unemployment figures where, because of inadequate education and a low skills base, Blacks comprised a huge majority. Conversely, some of the RDP indicators, such as affirmative action, could be interpreted as discriminatory by the White, Asian and Coloured electorate conceivably colouring their opinions.

Furthermore, there is a correlation between party identification levels and economic profitability. As Schulz Herzenberg observes, the 1997 and 2000 economic downturns saw party identification levels decline while the 2004 record-setting economic revival sparked a sharp increase in party identification across all racial groups. What did not happen, however, was a switch in party identification from the ruling parties to the opposition parties.¹³ This observation, together with those of Mattes *et al.*, suggest that the South African political psyche has two more features that are significant.

The first is that the ANC is still cashing in on the liberation discounts of 1994. Notwithstanding the apparent shortcomings or failures in the ANC's handling of the economy and service delivery, voters have not yet come to the point where they wish to punish the party in government, as was demonstrated in the outcome of the 1999 and 2004 elections – both of which fell within the dip in declared party identification. Mattes *et al.* affirm this and state that whatever shortcomings there were in government performance, voters did not attribute this solely to the government; they felt that someone else beside the government had to share in at least some, or take all, of the blame.¹⁴

Second, despite the governing party's performance shortfalls, opposition parties have done nothing significant to sway votes to their side. Indeed, one can attribute at least part of the ANC's success to the opposition's inability to frame and market their political priorities to the electorate. As a result, Schulz Herzenberg posits that the opposition, and not the ANC, has 'leaked' partisans to this new group of independent voters. And that when 'voters do return to their partisanship [as they inevitably will once the economy improves], it is almost always to the ANC and not to the opposition parties'.¹⁵ Moreover, Mattes *et al.* argue that although the ANC had a very strong strategic position, 'it was not unassailable and was very vulnerable in key areas to a skilful attack by opposition parties'.¹⁶ In fact, empirical evidence suggests that in the 1999 and 2004 elections, this vulnerability did not translate into an electoral threat implying that major shifts in the South African political psyche had not yet occurred. The DA's 2004 and 2009 victories in Cape Town and the Western Cape respectively reflect the ANC's vulnerability when the racial balance is tenuous.

Immediate socio-economic factors and the political psyche

Until now, this chapter has dealt with the role of aggregate macro-level political and economic variables – emphasising the role ideological factors play in South Africa's general political psyche. The discourse has not yet explained three apparent behavioural voting patterns: voter switching – where voters leave their party for another; strategic voting – where despite strong party identification, voters abandon their party loyalties and vote for the opposition; and, finally, the impact of immediate material circumstances on ideology and on party loyalty.

Voter switching

In South Africa voter switching has taken two forms – the first is where voters simply abandon their traditional party and join or vote for another, and the second is where elected representatives cross over to another party – floor crossing. The latter can be explained in terms of Schumpeter's¹⁷ dictum that political parties in democracies behave like competing private entrepreneurs whose private motives are separate from the principled functions they purport to espouse. Given that South Africa uses a party slate proportional representation system – where the party determines who

sits in parliament not the electorate – it is difficult to understand the electorate's complacency when representatives cross the floor. Although the practice has been abandoned, the electorate tolerated it for almost eight years without major murmurs. One explanation could be that political parties tend to dominate popular thinking, thus rendering voters blind followers. This might sound like a harsh judgement but evidence demonstrates that, in the main, White voters seldom questioned the wisdom of the National Party and presently, in the main, Black voters seldom question the wisdom of the ANC. Could the South African political psyche then be appropriately described as relatively quiescent? One can hardly describe South Africans as apolitical; rather politics seems to be the main attribute for describing social action. Indeed, race and politics constitute the first default position whenever South Africans have to explain behavioural phenomena.

Therefore, where the electorate has abandoned their parties one can conclude that their own immediate material interests have also stirred them. Anecdotal as this may sound, my 56-year old sister belongs to the Sacred Heart Solidarity – an organisation of lay Catholic parishioners mostly patronised by women. Close to the 2004 national and provincial elections, women in her organisation had an informal discussion on politics asking one another how they were likely to vote. A fellow member described to the rest how a fierce argument had erupted between herself and her husband regarding her voting preferences. 'I told him straight I'll vote for the ANC.' She happened to come from an IFP stronghold. 'Are you going to vote for a Xhosa?' thundered her husband. 'Father of my children,' she responded in typical dignified Zulu matriarchal manner, '*Ngiphuza iXhosa, ngibasa iXhosa, ngihola iXhosa.*' (I drink a Xhosa, use a Xhosa as my source of energy and earn a Xhosa.) In other words: 'It is the Xhosa who supplies me with drinking water, electricity and a pension.' What she meant is that a government headed by a person of Xhosa origin had delivered the requisite basic services to her community.

The narrative clearly suggests two important observations: that voting is a rational act, and that immediate material circumstances play a vital role in voter behaviour. The woman was conveying a simple but crisp message: 'Give me the goods and services and I shall give you my vote.' On a grander scale, voters have often demonstrated this truism. When they feel that their long preferred party no longer delivers the requisite goods and services, as shown earlier, they leave it for greener pastures. The gradual decline of the IFP in KwaZulu-Natal, the demise of the NNP and the birth of the COPE are cases in point. What they demonstrate is that there is more to the political psyche than quantitative macro-data analysis shows.

Strategic voting

Strategic voting is probably one of the most empirical demonstrations of rational choice theory because voters pragmatically decide to abandon traditional party loyalties to achieve strategic objectives. Apart from the 1994 elections where sentiment probably

played a greater part than reason, trends in provincial voting in KwaZulu-Natal show how a section of voters have exercised their votes selectively.

In the 1999, 2004 and 2009 elections, a significant section of voters in KwaZulu-Natal favoured the IFP over the ANC as the provincial governing party. In 1999, the IFP's provincial vote was 1,45 percentage points higher than its national vote in the province (a swing of 44 567 votes) while the ANC's provincial vote dropped by 1,4 percentage points compared to the national ballot. The trend continued in 2004 with the IFP polling 2 percentage points higher on the provincial ballot compared to the national, and the ANC drawing marginally less support in the provincial than the national poll.

In 2009, despite a massive swing to the ANC and a dramatic drop in support for the IFP, the national-provincial disparities persisted with the IFP maintaining its slight edge in its provincial compared to its national support. This pattern illustrates a definite tactical approach by a significant section of voters in KwaZulu-Natal. Knowing the ANC would win a majority of the national vote, this sizeable section of voters used their votes to change the dynamics at the provincial level. Interestingly, minority parties have influenced these shifts by voting strategically, keeping their votes to maximise their influence at the national level while leveraging their second choices at the local level. This is strategic brinkmanship in operation.

Material circumstances and party loyalty

Since the 1994 democratic transition, seven of South Africa's nine provinces have demonstrated a predictable political pattern that reflects the political psyche. As discussed earlier, South African political solidarity is generally aligned along ethnic lines. Within this configuration, collective economic judgements and party political loyalty have largely driven electoral behaviour, with the ANC enjoying overwhelming support. The Western Cape and KwaZulu-Natal are, however, exceptions to this rule.

Ethnic heterogeneity probably partially explains the Western Cape's results, but it certainly does not justify KwaZulu-Natal's – where the majority Black population is ethnically homogenous with no demographic distinction between ANC and IFP voters in either urban or rural areas. The IFP's dominance of KwaZulu-Natal in earlier elections has been thoroughly debated, as have explanations for the ANC's victory in 2009. Pundits cite the Zulu ethnic factor as the principal reason for IFP support because the party has projected itself as the custodian of Zulu culture and tradition. Personally, from both a sociological and an empirical perspective, I find the proposition too simplistic and rather convenient.

This is mainly because the provincial ANC leadership has championed Zulu culture financially and as vociferously as the IFP. Moreover, at the social level, one can hardly distinguish an ANC from an IFP wedding ceremony (or any other celebration for that matter), whereas despite the common Christian thread that runs through both, one can easily distinguish a Roman Catholic from an Anglican mass. The ethno-

cultural debate, therefore, has weak theoretical and empirical support. The explanation must lie elsewhere.

The IFP controlled the allocation of resources in the KwaZulu homeland, and by 1994 it had consolidated support structures such as traditional authorities and the police force, which became a formidable part of its election machinery. Unfortunately, the ANC's 1994 victory in the national elections weakened the IFP's influence because the latter could no longer dispense patronage as effectively as it did before.

Consequently, in the 1999 elections the IFP lost 32 per cent of its 1994 vote, an effective 580 863 votes. This was followed by another 22 per cent decline in the 2004 elections (277 421 votes). Finally, in the 2009 elections the IFP shed another 240 161 votes or 23 per cent of its 2004 vote.

From 1994, the ANC was in control of national government and a partner in KwaZulu-Natal's provincial government where it controlled three key ministries, Economic Development, Transport and Health. It was an accepted fact that the Departments of Health and of Transport in the province were also leaders in service delivery and in community development, with the Department of Transport spearheading development programmes such as Vukuzakhe, an emerging contractor programme, and Zibambele, a part-time road maintenance programme employing mostly rural women. And voters noticed the change in service delivery.

There was also a change in demography with younger voters favouring the ANC over the IFP, labelling the latter as a party for the older and more conservative segments of the electorate. Therefore, the writing for the IFP had been long on the wall. Indeed, the ANC had been gradually closing the gap since 1999 and its victory over the IFP in 2004 came as no surprise to those who had been studying the developments closely. While the ANC's margin of victory in the 2009 elections surprised many, and was attributed to the ethnic factor (that as a Zulu nationalist Zuma attracted the conservative Zulu vote in the province), this is probably a simplistic exaggeration. Ethnicity and race have always been the first default positions when South Africans cannot explain complex social phenomena. In my considered view, the IFP had steadily degenerated into a spent force and material rather than ideological factors precipitated its demise.

More significant than ethnicity is the fact that the ANC has gradually penetrated traditional IFP strongholds thanks to its ability to extend service delivery in these areas. Voters have therefore increasingly realised that support for the piper refines the tune and have shifted their vote accordingly; that is, their immediate personal circumstances (though not the main driving force) have shaped their particular political psyche. Additionally, while ethnicity and ideological factors such as party loyalty have generally determined political behaviour, South African politics also revolves around resource allocation and maintenance. Similarly, those in positions of power and privilege have (and will continue to have) the battle to maintain their titles while those seeking to change their social status have used politics to achieve their ambitions.

Conclusion

In his book *Race, Class and Power: Ideology and Revolutionary Change in Plural Societies*, Leo Kuper posits a relationship between conceptions of social structure and social arrangements that society constructs. He writes: ‘Conflict between races in a society finds expression in different conceptions of the social structure of that society.’¹⁸ It was the conception of the social structure of South African society during the colonial and Apartheid days that gave South African politics its distinctive expression, and consequently brought about a complex yet predictable political psyche. The conception of South African society as a plural society acted as a forerunner of the political psyche, which has endured despite demographic changes with their attendant ideological developments. There has been a cultural lag politically in spite of the changes in social mobility and political actors have exploited this lag selectively in appropriate situations.

Simultaneously, political actors have capitalised on the concept of the rainbow nation to argue that genetic composition and geographical origin are positive contributions to a common South Africanism, and have to be celebrated within the rainbow nation. This is not new in conflict-prone societies. Nkundabagenzi once argued this in Ruanda asserting that Abanyaruanda comprised the abaHutu, abaTutsi and abaTwa as constituents of one nation as constructed upon the French slogan of *Le Peuple tripartite* rather than upon culturally and ethnically distinct elements brought about by the colonial experience. The political consequence of the South African experience is a dominant political party within an organic multi-party democratic system, where political diversity is accepted and practised within predictable limits.

The second observation regarding the political psyche in South Africa is that immediate personal circumstances are critical factors that influence political behaviour, albeit within the broader limits of collective economic judgements. South African political actors act within rational parameters and, because of this, there is a measure of fluidity regarding the outcomes of political action. While political parties play a crucial role in determining voter behaviour, such behaviour is not cast in stone. South African politics will, for the foreseeable future, be directed by the psychology of fear and the morality of restitution.

Notes

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The character of the South African state: The self-understanding of the ANC as government and its impact on the public space

F. Gerhard Wolmarans

The state and the government in South Africa affect and shape the lives of the ordinary South African in many substantial ways. This is not unique to South Africa, for the modern state and its rule has become ubiquitous and deeply embedded in almost all facets of social interaction, from family life to foreign relations. The reality of this pervasive influence stirs in us the need to understand; the need to find a better or deeper understanding, not only of the mere superficial features of the state (its institutions, formal practices, agents, etc.), but a more profound understanding of the multitude of choices, motives and conduct within the broader formal institutional framework of the South African state. What we are seeking is a deeper understanding of the character of the South African state. This chapter aims to study this character of the South African state and to explore the historical patterns (or habits) of conduct and thought that significantly, though not exhaustively, shape how the state is governed.

An important component of South Africa's constitutional order will be scrutinised – the ANC as the ruling party since 1994. Special attention is given to how the movement understands its role as the government of South Africa and, using these perceptions, how it has acted accordingly.

The study's scope is limited because a comprehensive characterisation of South African politics is simply too large an undertaking for a single study of this nature. However, if one were to attempt such a characterisation, the most important and vital element would be the ANC and its conduct as government, given its dominance of the South African political landscape since 1994.¹ Therefore, even though this study is limited to the ANC-in-government, this would still constitute the most important and central element of the South African state and its politics.

The analysis will rely on the work of the noted British political theorist, Michael Oakeshott, who has developed a deeply theoretical understanding of the character of the modern state. His study found that the modern state exhibits a dual character because it consists of the cohabitation of two seemingly opposite ideal types.² For Oakeshott, the very specificity of the modern state is the constant interplay and tension between what he calls enterprise association and civil association. He notes, however, that one of these ideal types, the enterprise association understanding, currently tends to dominate the character of the modern state. This is problematic since the two ideal types cannot exist to the complete exclusion of the other, as each on its own contains an inherent contradiction. This chapter will investigate the specific character of the

South African state under the ANC by looking at the extent to which the enterprise association understanding crowds out the civil understanding.

First, consideration will be given to specific circumstance which might reinforce an enterprise understanding of the state and government within the ANC. Second, the ANC's writings and discourse will be probed to see how the movement understands the association called South Africa and the appropriate role and function of its government. These writings and discourse will also show how the ANC structures its approach to the office of government – whether it simply wants to continue the status quo, or whether it wants to be more experimental in its approach, allowing its governing practices to be guided by key abstract ideas formulated in advance of the activity. If the latter is the case, then the individual ideas that guide governing practice need careful consideration.

A consideration of how the ANC understands the state and its office of government will allow a conclusion to be drawn as to whether the ANC government conforms more to an enterprise association or to a civil association. This conclusion will highlight the supposition as to the character of the ANC-in-government, which in turn will highlight implications for the public space in South Africa along with the question: To what extent is the ANC willing to share this space with others?

The ANC-in-government understanding of the state and government of South Africa

Michael Oakshott spent a considerable amount of time developing a theoretical understanding of the modern state and its office of government. He understood the character of the modern state to be a dual one – it oscillates or hovers between two ideal characters, namely enterprise association and civil association. This cohabitation between enterprise and civil association is what distinguishes the modern state. Briefly stated, an enterprise association, or purposive association as it is also known, is an association of many human beings united by a common substantive purpose, interest or 'cause' and who seek the satisfaction of this common end. People therefore associate and relate to one another as role-performers in their quest for the identified common purpose, and not as people of divergent wants and interests which all aim to satisfy simultaneously. This type of association is necessarily a managerial engagement, with the leaders fulfilling the role of managers assigning performances contingently connected with the common purpose or interest. Government in such an association manages the purposive concern. The rules or laws of the association are expressed as prudential managerial conclusions specifying the common purpose and the way in which it is to be contingently pursued. Law therefore becomes a set of prescriptive conditions, which must instrumentally contribute to the common purpose.³

The other ideal character, a civil association, refers to a group of people who acknowledge the authority of a system of non-instrumental laws indifferent (not

merely impartial) to the satisfaction of substantive wants. These laws are a system of prescriptive conditions to be subscribed to in self-chosen conduct. This association is not based on any common purpose and the members are not joint enterprises bound to one another by what they want satisfied. Rather, it is a system of law that prescribes ‘not satisfaction to be sought or actions to be performed, but moral conditions to be subscribed to in seeking self-chosen satisfactions and in performing self-chosen actions’. In such an association, people are related solely because of their ‘acknowledgement of the authority, not the desirability, of these prescribed conditions’.⁴

Oakeshott makes the point that neither of the two ideal characters can come to dominate the character of a state completely, for there will always be a measure of both present in every modern state. The unique character of each individual state is determined by the dominance, or not, of either of these ideal characters in its daily political activities and in the civic relationships between the associates within the state. For Oakeshott it is clear, however, that at present the enterprise association understanding of the state and its office of government has become the norm in almost all modern states;⁵ the purposive understanding of the state along with its ‘style’ of government has acquired a pre-eminence that seems almost unassailable. But is this the case in South Africa? Is South Africa, under ANC rule, a state imbued with a purposive view of the state and governing, or is this ideal character relatively weak where a wide scope for a civil association understanding can flourish?

Circumstances that promote an enterprise association understanding of the state and government in South Africa

One of the arguments Oakeshott uses to explain the strong growth in the enterprise association is that certain contingent circumstances in Europe prompted people, especially rulers, to adopt this conclusion.⁶ For instance, over a period of time European states relentlessly extended the size and scope of their rule or government; they embarked on various colonial adventures and had to administer these colonies; and, most importantly, they were almost continually engaged in war. If a correlation between these circumstances in Europe and circumstances in South Africa can be identified, it would provide compelling reasons to anticipate a very deep-seated purposive approach to governing within the ANC-led state.

Oakeshott emphasises Europe’s gradual and ceaseless expansion of a central administrative apparatus that was used to pursue a specific substantive purpose. The vast administrative apparatus that was gradually created, although not initially designed as a tool to manage people, proved invaluable as an instrument to the managerially inclined governments associated with enterprise association. The increase in the potential power available to the governments this provided resulted in them being increasingly able to act autonomously as the sole agent within the public space with the capacity to look after, and even determine, the interests of society.

The state in South Africa certainly seems to share in this general managerial trend. The ANC-in-government has made abundant use of such administrative apparatus in its ruling of the state. To reveal this tendency briefly, one needs to consider all the various government departments employed by the state as instruments of rule.⁷ These cover a very wide range of activities, and demonstrate the government's willingness to have a ruling presence in all these facets of daily life. In addition to these departments, the government has constituted a large number of commissions since 1994, further demonstrating the prominence and reach of South Africa's central apparatus.⁸

These instruments of rule might not seem out of place if they are compared to other states and more so if one considers South Africa's historical context. The point here, however, is that their presence alerts us to the possible existence of a purposive association understanding within the ANC-in-government, since the government seems to readily avail itself of all the administrative resources of rule. The ANC's willingness to employ the state to manage society by itself does not necessarily indicate the presence of an enterprise association, but it may signal the likelihood of such an inclination within the government. Therefore, the other circumstances Oakeshott outlines need to be considered.

The historic experience of colonial rule, as discussed by Oakeshott, has a direct bearing on the South African situation. Even though he primarily discusses this circumstance from the perspective of the European colonial rulers and their attitude to ruling, he also makes mention of the impact of this experience on those colonised peoples who had to endure this rule. Oakeshott explains that the various colonial 'adventures' of European rulers were usually conducted in the name of a particular enterprise aimed at the satisfaction of a specific substantive want, most often that of trade and the wealth emanating from it. The ruling of a colony mostly entailed the organisation of its resources for the benefit of the 'parent' state.⁹ In these enterprises of colonial rule it became very difficult to distinguish between the governing of the given territory and the management necessary to achieve the goals of the underlying enterprise.¹⁰

This understanding of a state as a compulsory corporate association and the notion of ruling as the management of a corporate enterprise significantly influenced those who lived under colonial rule, and who were eventually to take over the reins of those colonies when they attained full independence.¹¹ It is therefore not surprising that it was this understanding of that state and ruling that manifested in many of these new post-colonial states, usually under the banner of 'nationalism', a situation not unfamiliar to the South African context.

This legacy of colonialism, this managerial, purposive style of ruling, is a well-entrenched historical and familiar condition in the South African state, which in turn enhances the likelihood of such a style also predominating in the post-1994 state. One might be tempted to conclude at this point, that this style came to serve as the natural 'groove' of the character of the South African understanding of the state and of

governing. However, we can only draw such a conclusion if a careful consideration of the actual conduct and ideas of the post-1994 government in South Africa also bears this out. But there is still one last circumstance that warrants careful consideration, a circumstance that, according to Oakeshott, has done more than any other to push European states in an enterprise association direction and, as will become evident, this circumstance has had a similarly significant impact on the South African state.

Oakeshott argues that the past five centuries of almost continuous war between the various states of Europe decisively and indisputably turned these states in the direction of association in terms of a substantive purpose; that is, enterprise association. Fighting a large-scale war in the modern world usually requires the total mobilisation of all state resources, including its people, for the purpose of victory, or even more desperately, that of survival. Any modicum of civil association that might have existed in a state, according to which citizens chose and pursued their own goals, disappears before the compelling corporate purpose of fighting and surviving a war. Furthermore, the hard lessons learnt and the manners of conduct acquired during warfare are often remembered once the hostilities end. A familiarity is produced concerning a state organised and managed as an enterprise association. When peace returns, rulers usually identify a new corporate purpose for the state to pursue, so they can all jump to the new task with the same vigour and dedication demonstrated during the times of belligerence. This logic is clearly expressed in the basic approach to government the ANC has followed since 1994. Total warfare, or total struggle, informs much of the ANC's history, and a good measure of this struggle paradigm pervades the activity of governing the post-Apartheid state.

In fact, the paradigm subsumes the ANC's self-understanding as a movement. In 1987, for example, when it looked back on its own historical development, the party chose to represent its history as consisting of '75 years of struggle' in the document *Advance to power. 75 years of struggle*.¹² This period of struggle was characterised by its resistance to White domination. Since White domination constituted such an all-embracing system of oppression, especially under Apartheid rule, it necessitated an all-embracing resistance movement, a national liberation struggle, to undo this system's grasp and power over the lives of the oppressed in South Africa. Eventually, and inevitably, the struggle mobilised the oppressed population to wage a total war against the Apartheid system:

Our aim is a war fought by the entire people – in strikes, demonstrations, resistance to forced removals, as well as in the field of armed struggle. Our call, to make Apartheid unworkable and South Africa ungovernable ...¹³

This all-out struggle against the White government eventually ended when, after a protracted negotiation process interrupted by outbreaks of violence, the ANC won the national elections in 1994.¹⁴ It quickly became apparent, however, that the idea of

‘struggle’ and the accompanying ‘national liberation’ did not fade with this change in political power, but dominated the ANC’s mindset especially in relation to its new role at the helm of the South African state. This turn of events would not have surprised Oakeshott at all. He would clearly have anticipated that a movement or party, so deeply imbued with the idea of determined and focused struggle for the attainment of certain goals for such a long time, would easily continue this style in its day-to-day ruling of a state.

The ANC understands itself as a movement still struggling to attain certain goals and assuming control of the government has not changed this. The ANC’s own constitution emphasises this, declaring itself to be a liberation movement first and then a political party. Indeed, the first point under the heading The character of the ANC states that the ‘ANC is a non-racial and non-sexist and democratic liberation movement’ and only in the third point does it mention that the ‘ANC also contests elections as a registered political party’.¹⁵ The word ‘also’ in this quote is significant because it highlights that although the ANC remains a liberation movement, it is also willing to assume the role of a political party in order to further its goals. Clearly, this understanding informs the very character of the ANC.

Given these tendencies, South Africa under ANC rule appears to exhibit the three circumstances of particular bearing and influence that conform to Oakeshott’s theory that enterprise association dominates modern states. However, before concluding that South Africa conforms largely to an enterprise association, we need to consider whether the ANC’s approach to governing and its conduct as government exemplifies its beliefs.

As far as the ANC’s practice of ruling is concerned, the ANC sees its rule as constituting a historic break with the past. It was to be different from all governments that came before it. Since it did not want to rely on past precedent to guide its conduct, it decided on, sometimes implicitly and sometimes more explicitly, certain key ideas to guide its conduct. These key ideas frame what might be called the practical political vocabulary of the ANC. These ideas, along with the beliefs and sentiments they embody, give an intellectual organisation to ANC politics and make the ANC itself more aware of what it is doing. Therefore, it informs both the responsibilities that the ANC feels it has to fulfil and the goals that it sets for itself and for society. How the ANC understands its role and function as the governing party is thus intimately linked with these ideas.

Key ideas that have informed the ANC’s rule since 1994

The ANC-led government, from 1994 to the present, has been characterised by the prominence it accorded to a number of pivotal ideas.¹⁶ These ideas have become the guiding principles of the ANC-in-government and while some have since vanished from the political stage, others have endured even though their focus has changed. The most important ideas are nation-building and reconciliation; development,

reconstruction and transformation; the National Democratic Revolution (NDR); and unity and solidarity. These abstract ideas, by their prominence, but also, as will become apparent below, by their substance, firmly root the ANC in a purposive or enterprise association understanding of the state.

Nation-building and reconciliation

The idea of nation-building and reconciliation played an important role in the early years of the ANC's rule, but the rhetoric has since receded.

It was impossible to forget or bury the oppression, exclusion and abuse of human rights, and the absence of basic human dignity endured under Apartheid. Nor could one free and open election in 1994 mend it. Furthermore, the fears and concerns of a still powerful White community could not be ignored. The South Africa inherited by the ANC in 1994 was, therefore, still an essentially divided nation uncertain and even fearful of what the future might hold. From the very early days of the ANC government, and even before it, the movement recognised that the previously antagonistic and even belligerent sections of South African society needed to be reconciled.

At the outset, Nelson Mandela made it very clear that his government would strive to include all South Africans, as one nation, in the better life the ANC envisaged for the new South Africa. He made it clear during his inaugural speech that:

The time for the healing of wounds has come. The moment to bridge the chasms that divide us has come ... We enter into a covenant that we shall build the society in which all South Africans, both Black and White, will be able to walk tall, without fear in the heart, assured of their inalienable right to human dignity – a rainbow nation at peace with itself and the world.¹⁷

The ideas of reconciliation and nation-building were not just of particular importance to Nelson Mandela as a person but reflected the deliberate stance of the ANC as a party. This is made clear in the ANC's 1997 Strategy and Tactics document¹⁸ where the ANC used the need for reconciliation and nation-building as a deliberate tactic to ensure a smooth transition of power in South Africa:

The smooth change-over of government in 1994 was one of the most outstanding achievements of liberation struggles this century. The understandable euphoria that this development occasioned reflected the sense of achievement of a people who had endured centuries of bondage, as well as appreciation by both Black and White South Africans that they share a common destiny, and that none would benefit from mutually debilitating conflict. This was reinforced by the deliberate policy of reconciliation adopted by the liberation movement, helping to narrow the space for those forces which might have had plans to subvert this process by violent and other means.¹⁹

The ANC recognised the widespread and genuine appreciation by the various racial groups within South Africa that all should lay aside their mutual hostilities, and instead focus on the reality that their futures were inextricably linked. As a movement, the ANC could easily embrace this view as it echoed the long-held position within the ANC to create a South Africa in which there is a fellowship between all South Africans. Indeed, the position is clearly documented in the Freedom Charter, as well as in the movement's oft-repeated quest for a 'united, democratic, non-racial and non-sexist society' in more recent documentation.²⁰

Moreover, the above quotation from the 1997 *Strategy and Tactics* document adds another dimension to the ANC's notion of reconciliation and nation-building. One can argue that the ANC's 'deliberate policy of reconciliation' was a focused attempt to guard its newly acquired position as government and to smooth its planned transformation within the broader South African society. When the ANC assumed office, Whites still held significant power; Whites still dominated the bureaucracy, the security forces, the media and almost all sectors of the economy and business. Since the ANC needed time to implement its plans to fundamentally transform South African society (to be discussed later), pursuing a policy of reconciliation would placate these centres of power and dissuade any attempt to derail the ANC's transformation agenda and undermine the government's large-scale developmental plans.

From this perspective, nation-building and reconciliation can be viewed as supportive policies or ideas: they helped create the conditions in which the ANC could fully realise its most important goals, namely transformation, reconstruction and development, as well as the related notion of the National Democratic Revolution. This implies that as the ANC power became more entrenched and less threatened by other centres of power within the country, the focus on reconciliation and nation-building would decline. And this certainly seems to be the case. Up to 1999, for example, the ideas of nation-building and reconciliation were mentioned a total of 26 times in the president's seven *State of the Nation* addresses. However, either one of these concepts only appeared three times in the 10 addresses between 2000 and 2008. Furthermore, the concept of reconciliation no longer appears in any of the discussion documents tabled at the 2007 Conference of the ANC, nor is it mentioned in the official resolutions of that Conference. The fact that both these concepts are conspicuously absent seems to indicate that the ANC's attention has moved on to other areas. Apparently, the ANC has gradually shifted its focus to ideas that it believes encapsulate the essence of its task as a liberation movement and as a government. Now, the concern was with transformation, reconstruction and development.

Transformation, reconstruction and development

When Nelson Mandela addressed the two houses of Parliament less than a month after his party won the first post-Apartheid elections in South Africa, he made clear the goals, tasks and challenges facing his government:

The government I have the honour to lead and I dare say the masses who elected us to serve in this role, are inspired by the single vision of creating a people-centred society. Accordingly, the purpose that will drive this government shall be the expansion of the frontiers of human fulfilment, the continuous extension of the frontiers of the freedom.²¹

He then described the human fulfilment he wanted to achieve:

My government's commitment to create a people-centred society of liberty binds us to the pursuit of the goals of *freedom from want, freedom from hunger, freedom from deprivation, freedom from ignorance, freedom from suppression and freedom from fear*. These freedoms are fundamental to the guarantee of human dignity. They will therefore constitute part of the centrepiece of what this government will seek to achieve, the focal point on which our attention will be continuously focused [emphasis added].²²

The government's commitment to substantiate these freedoms found expression in a concerted plan of action, a programme called the Reconstruction and Development Programme (RDP).

The things we have said [the freedoms mentioned in the above quotation] constitute the true meaning, the justification and the purpose of the Reconstruction and Development Programme, without which it would lose all legitimacy. When we elaborated this Programme we were inspired by the hope that all South Africans of goodwill could join together to provide a better life for all.²³

The government's goal of 'a better life for all'²⁴ relied on assertive government action that encouraged all South Africans to participate. The government viewed itself as leading South Africans towards a better future, a good life, using a process of transformation and reconstruction that would undo the damages of the past, and focus development and economic growth.

The need to reconstruct and develop South Africa informs much of the ANC's discourse on and approach to governing in the post-1994 era. At the ANC's 1994 Conference, the organisation seriously considered its new role as the ruling party. It concluded that, despite its new circumstances, it was still committed to the long-term vision of fundamentally changing and the developing South Africa:

The ANC remain the vanguard of the broad South African liberation movement. Despite its position as the leading force in the government, the central function of the ANC remains unchanged... *It needs to be a liberation movement capable of mobilising and leading the majority of South Africans in the ongoing effort to transform, reconstruct and develop our country*. Its contestation of formal political power needs to be merely an aspect – albeit a crucial aspect – of the broad function of the ANC [emphasis added].²⁵

As a result, the ANC bound itself inextricably to the reconstruction and development of the South African state, using their ruling party status as one of its main tools. This impetus for fundamental transformation²⁶ initially expressed itself in the RDP.

To understand why the ANC places such a continuing emphasis on transformation, reconstruction and development, one needs to appreciate the ANC's understanding of post-1994 South Africa. For the ANC, the hand-over of government in 1994 entailed more than the normal political cycle of replacing one government with another. It represented a change to the very core of the political order in South Africa. Furthermore, it also heralded a change to the social and economic orders in the country. In fact, 1994 inaugurated the beginning of a process of total transformation. The South Africa of 1994 was not perceived to be a fully liberated country. Rather, it was a country facing an unstable and dangerous situation, a situation brought about by many years of oppression. And the ANC believed that this instability confronted it in its new position as government:

It is from a new vantage point [of governing party] that we [the ANC] enthusiastically and in unity meet the challenge of *fundamental transformation* in South Africa. Conscious of the fact that the legacy of Apartheid permeates every facet of South African society and that Apartheid power was diffused throughout the structures of society, we commit ourselves to true and full liberation which will ensure the removal of every vestige of the Apartheid past [emphasis added].²⁷

These conditions, created by years of oppression, manifested in a variety of ways. For example, extreme poverty and degradation flanked modern cities with sophisticated industrial and commercial infrastructure; the income distribution was highly unequal; the economy relied on enforced racial divisions; education, health, welfare, transport, sport and employment were strictly segregated reinforcing both inequality and inefficiency; and, large White-owned conglomerates dominated the commercial and industrial sectors. Once it assumed power, the ANC had to address these problems by fundamentally rebuilding and transforming the South African reality. With its goal of 'full liberation' not yet achieved, the ANC launched the 'second phase' of South Africa's struggle:

[1994] marked the end of the first phase of our struggle and ushered in the *second phase* which is the transformation of South Africa into a truly non-racial, united, non-sexist and democratic country, to create a new nation out of 'the belly of the beast' [emphasis added].²⁸

Furthermore, the ANC was convinced that political democracy would not survive if the majority of South Africans remained poor, with their basic needs unmet and with no prospect of a better life. Therefore, the government concluded that '[a]ttacking

poverty and deprivation [was] the first priority of the democratic Government'.²⁹ Accomplishing this reconstruction mission required, it believed, a 'comprehensive approach' aimed at 'harnessing [all] the resources' of the entire South African nation,³⁰ To realise this, the ANC wanted to design a concrete plan that was achievable, sustainable, would meet the objectives of freedom and would improve the quality of life for all South Africans.

The first attempt at such a plan was the RDP,³¹ with others following in later years such as GEAR (Growth, Employment and Redistribution),³² AsgiSA (Accelerated and Shared Growth Initiative for South Africa)³³ and the New Growth Path.³⁴ Even though there are substantial differences between these various policy programmes,³⁵ each was purposefully designed to allow direct government action, or at least guidance, to spearhead the country's transformation agenda. For the ANC, these plans were the government's instruments for transformation. Every aspect of the country had to be reconstructed and transformed: all institutions, structures and social interests that have 'grown rich and powerful out of minority rule' had to be completely reshaped so that they reflected the 'aspirations of the majority of ... people'.³⁶

The mission, or enterprise in the words of Oakeshott, to which the ANC committed itself remained clear: South Africa had to be fundamentally altered and a better life ensured for its people with the developmental plan drafted by the government serving as the blueprint around which all government activity was to be structured. This purposefully drafted plan was to be, in the words of the Government Communication and Information System (GCIS) when commenting on the RDP, an 'integrated, coherent, socio-economic policy framework which seeks to mobilise all the people and the country's resources towards the final eradication of Apartheid and the building of a democratic, non-racial and non-sexist future'.³⁷

Therefore, the ANC, as the governing authority, dedicated itself to constructing a new transformed South Africa, marshalling all the resources at its disposal. Governing, and the power that goes with it, had to be focused and aligned with the goals of transformation, reconstruction and development.

'This process of settling in [to the role of government] has included familiarisation with [the] composition and on-going programmes of the [various government] departments ... [and the] assessment of what needs to be done to structure and motivate them so that they can implement the RDP'.³⁸

From very early on the new government linked the idea of transformation with the idea of development: the sought-for transformation of South Africa would be attained primarily through development. Indeed, the socio-economic problems and injustices would only be addressed if government could ensure a strong and growing economy, which required a stable and strong macro-economic environment. When drafting and implementing the RDP, the ANC did not see a contradiction between economic growth and development. Instead, it believed that development would guarantee economic growth and that the 'increases in output' would be used to

improve the quality of life of all South Africans. Strong growth in the economy would guarantee the resources necessary for the development programmes and initiatives aimed at improving the socio-economic positions of all South Africans, while rectifying the structural inequalities of the past.³⁹ As the RDP White Paper explains, the 'RDP integrates growth, development [and] redistribution into a unified programme'⁴⁰ all with the aim of 'progress in the transformation strategy'.⁴¹ Therefore, ideas such as 'development', 'developmental state', and 'development agenda' intimately fit into the ANC conception of a transformed South Africa.

An interesting feature of the ANC government's transformation strategy is its focus on improving the substantive quality of life of the poor. The ANC's approach to privation is to provide substantive outcomes to those who live in poverty, such as food, housing, electricity, water, sanitation services, and the like. This is in line with Oakeshott's assertion that in an enterprise association, the government seeks to satisfy the substantive wants of those governed not merely provide the conditions needed to satisfy these wants.⁴² In South Africa the idea of the 'common good' is echoed in the ANC's promise of a 'better life for all', where the government delivers a substantive condition of life to its people, especially the poor.

Creating a better life for all is the goal of all government-led transformation efforts and is reinforced by, and encapsulated within, another key ANC idea – one that has a long history in the movement and the broader alliance. The idea currently guides the movement's understanding of the 'good' future it strives to deliver – the national democratic revolution.

The National Democratic Revolution (NDR)

In the self-understanding of the ANC there exists a very important link between the *raison d'être* of the movement and the idea of a National Democratic Revolution (NDR). This is confirmed in its constitution where its 'aims and objectives' state that the movement will '[e]nd Apartheid in all its forms and transform South Africa as rapidly as possible into a united, non-racial, non-sexist and democratic country based on the principles of the Freedom Charter and in pursuit of the *national democratic revolution* [emphasis added]'.⁴³

In fact, the NDR shapes how the ANC understands its tasks and purposes as a movement. As a result, one of the main political projects the ANC pursues is implementing and actualising the NDR. Therefore, it warrants careful consideration.

The idea of an NDR within the ANC owes much to its close alliance with the South African Communist Party (SACP). Since the 1960s, the SACP provided the ANC with much of its ideological direction, effectively embedding the need for a national democratic revolution. As envisioned by the SACP, the NDR would help move South Africa towards a full socialist revolution.⁴⁴

However, an analysis of the ANC's own primary documents, as opposed to those of the SACP, makes it clear that it would be difficult to link the NDR directly to a

purely socialist future. The concept of ‘socialism’ or that of a ‘socialist state’ is not even mentioned in the ANC’s key *Strategy and tactics, 2007* document. Such an analysis does make it clear, however, that, for the ANC, the NDR will rectify the injustices of the past, along with Apartheid’s enduring legacy in society.⁴⁵ Interestingly enough, the envisioned end-state that the ANC does refer to is not a socialist society, but rather a ‘national democratic society’ (NDS) rid of all the conflicts and contrasts forced on it by its Apartheid and colonial past. The *Strategy and Tactics, 2007* document, itself bearing the subtitle *Building a National Democratic Society*, makes it clear that a ‘national democratic society constitutes the ideal state we aspire to as the ANC and the broad democratic movement’.⁴⁶ Though this NDS might contain some elements that can be called socialist in nature, it does not present itself as an overtly socialist ideal. Rather, the focus remains on the ongoing process of transformation itself, by means of the NDR, with the goals thereof logically culminating in an NDS.

In the 1997 *Strategy and Tactics* document, the NDR is characterised as:

... the creation of a united, non-racial, non-sexist and democratic society. This, in essence, means the liberation of Africans in particular and Black people in general from political and economic bondage. It means uplifting the quality of life of all South Africans, especially the poor, the majority of whom are African and female [emphasis added].⁴⁷

In essence, the NDR will remove political and economic bondages and improve the quality of life for all South Africans, especially those who are poor. Political emancipation was largely attained when political authority was formally transferred to the ANC in 1994,⁴⁸ forcing focus to shift to the social and the economic realities of everyday life in South Africa. It is therefore not surprising that the ANC-in-government tended to characterise the NDR mainly as a ‘programme of social transformation’⁴⁹ that calls for the government to mobilise and lead a united effort to rectify the enduring social and economic legacies of the Apartheid past.

While formal democracy may present opportunities for some Blacks and women to advance, *without a systematic national effort, led by the democratic government*, to unravel the skewed distribution of wealth and income, the social reality of Apartheid will remain [emphasis added].⁵⁰

All the tasks that the ANC attributes to the NDR follow from this foundational characterisation. This is elucidated in the 2000 *Umrabulo* article entitled ‘Tasks of the NDR and the mobilisation of the motive forces’,⁵¹ where its main tasks are listed as:

- **A commitment from the state to reconstruction and development.** The state has the ‘responsibility to work for the all-round emancipation of those sections among the people – the majority – the rural and urban poor, the working people, women, the youth, the disabled, who were the objects of oppression and exploitation under the colonial and Apartheid system’.⁵² This commitment to reconstruction and development on behalf of those previously disadvantaged has to ‘assume the status of a hegemony which informs and guides the policies and practices of all the institutions of government and state’. Therefore, even though the ‘democratic state’ should attend to the concerns of the rest of the population, its primary, or hegemonic, concern is for the poor and the disadvantaged.⁵³
- **Ensuring a better life for all.** This relates to the above-mentioned task but focuses solely on improving the quality of life of the people, especially the poor. The main initiator and manager of this delivery process is again government action, which needs to effectively coordinate all government programmes to attain this objective.
- **Ensuring a strong State to realise the transformation agenda.** The democratic state must resist the idea of a minimal state. Since the democratic state⁵⁴ is ‘developmental and transformative in character’, the NDR calls on the movement to ‘fight against the liberal concept of “less government” which, while presented as a philosophical approach towards the state in general, is in fact aimed specifically at the weakening of the democratic state’.⁵⁵ This view is further discussed in the *Strategy and Tactics, 2007* document where it is declared that the NDR seeks to turn South Africa into a developmental state⁵⁶ that will guide national economic development and mobilise all local and international forces to the goals of the NDR.⁵⁷
- **Economic transformation.** Attaining a fundamentally transformed South African society relies on economic transformation, which in turn depends on direct government action to ensure both growth and development. The purported NDS will have a mixed economy, but this mix will be determined by the state based on the national development needs and the tasks of the NDR at any given point in time.⁵⁸

These tasks fit well with the ideas of transformation and development, but the article goes further to clarify the central role of the state/party in this enterprise. The ANC clearly understands itself as the main driver behind the attainment of these goals⁵⁹, but it is equally clear that it is from the basis of state and governing power that it will endeavour to attain these ends. Essentially, the ANC understands the NDR as a programme of social transformation in which the full strength of the ‘democratic state’ has to be used to overcome the social and economic problems and contradictions faced by South African society. This is the implication behind comments such as those

made by Joel Netshitenzhe⁶⁰ that state power is ‘a tactical instrument with profound strategic implications’.

However, one must be careful in dealing with the concept of the NDR in that it has the potential of being more of a distraction than a helpful aid in understanding. Approaching the NDR on mere face value as a Marxist project for the actualisation of a socialist project in South Africa misses the point as to its real impact on the mindset of the ANC. The NDR provides the ANC with a cognitive framework through which it understands the role and place of ruling and the task of a government. The NDR contributes more to the ANC’s view on the ‘how to’ of ruling, than to the ‘where to’ of its actions. It makes plain a paradigm of governing with which the ANC feels itself comfortable and with which it feels its self-defining history accords.

The NDR, and the related NDS, thus stand as broad overarching guides to action for the ANC. The NDR’s vision of a deeply transformed South Africa epitomises the ideal state the ANC has identified for South Africa, and it is towards this state of a ‘better life for all’ that it intends to mobilise and lead, mainly by means of state and governing power, the whole of South African society. The NDR focused the mind of the ANC to its role as the flag bearer who will mobilise and lead all the people, for it alone, as the embodiment of all democratic forces, knows where South Africa should go.

Finally, there is one last idea – an idea with strong roots in the ANC’s long history – that deserves to be recognised because it runs through all the ideas discussed above. This is the idea of ‘unity’ and the related notions of ‘unity in action’, ‘unity in purpose’ and solidarity.

Unity

Characterising itself as a national liberation movement engaged in an all-embracing revolutionary struggle that is dedicated to transformation,⁶¹ means the ANC must follow a strict hierarchy of control and discipline that preserves the organisation’s unity. This practice was developed during the anti-Apartheid struggle when the ANC was in exile and it continues to underpin the movement’s decisions today. Indeed, the ANC expected, and continues to expect, that its members remain united in vision and in action; they expect solidarity. This has found practical expression in the adoption of democratic centralism⁶² as its main organisational principle, which is proven by a discussion document on organisational democracy and discipline in the ANC published in 1997 that ‘the ANC is a unitary and national organisation. Its operations are guided by the principles of democratic centralism’.⁶³

This commitment to democratic centralism entails that, following ‘debate and discussion on a particular issue in the correct structures, a decision is taken which is binding on all members of the ANC. Even if an individual has motivated or voted for a different position, that individual will have a responsibility to implement and defend the decision that has been taken’.⁶⁴

Since a struggle requires unity and a singular purpose, it follows that both affect a liberation movement, such as the ANC's, processes. Therefore, the ANC will allow and encourage debate and discussion on all topics relevant to the movement, but once a decision has been taken there can be no further wrangling or contestation, for all must now unite to realise this particular decision. Unity has to supersede particularity and plurality. Such loyal and committed members of the ANC, or cadres, will lay aside their own interests for the sake of the struggle and complete national transformation and liberation, as expressed in the NDR.⁶⁵ These loyal and disciplined cadres will be ready and willing to act in line with the direction received from above.

Furthermore, the ANC's commitment to, and emphasis on, unity of purpose and unity of action is grounded in its identity as a national movement, and even embodies the South African nation as a whole. Indeed, the ANC believes that its founding in 1912 also signifies the birth of the nation itself.⁶⁶ From its inception, the ANC believed that it represented the aspirations of all South Africans in its struggle against oppression and injustice.⁶⁷ Even those White South Africans who supported Apartheid eventually realised that their true interests lay in the democratic South Africa as envisioned by the ANC.⁶⁸

From 1994, these views and habits on unity pervaded the ANC's understanding of its role as government. Since the ANC views itself as the very embodiment of the national aspirations of all South Africans,⁶⁹ it is seen as self-evident that the ANC-in-government must mobilise all South Africans to collectively rid South Africa of past injustices and transform it into a truly national democratic society. Therefore, the ANC is committed to establishing a social compact among all South Africans to achieve transformation. According to Joel Netshitenzhe, the ANC's task is 'to forge a partnership among all social actors, a social compact in pursuit of a common vision'.⁷⁰

Consequently, the ANC expects all South Africans to embrace the government's plans with one accord, without wasting unnecessary time on needless distractions emanating from mere particularist or partisan interests. The logical outflow of this view would be that the ANC, as 'the voice of the people of South Africa',⁷¹ speaks for all and that any voice that tries to contradict it within the public space either has no legitimacy, or should at least be viewed with suspicion.

This call for unity is appropriate, given South Africa's divided past. Considering the country's past, and in some sense continuing, racial divisions there is clearly a need to bridge the divides that have separated South Africans for so long and to bring all its people to the point where they recognise one another as fellow citizens to whom they owe the duty of civility and respect.⁷² However, this call for unity also implies a collective enterprise, a common vision that lays claim to a pre-eminence over all other private or public endeavours, an enterprise to which all South Africans must subscribe and pledge primary allegiance. These calls to unity clearly connect the ANC government with the understanding of unity of action and unity of purpose evident in the ANC's own self-understanding as a national liberation movement.

The ANC, therefore, both in its capacity as a liberation movement and as government, believes itself to be the custodian of a historic national mission. The actualisation of this mission requires that all South Africans think and act with a single-minded focus towards the great national goal of creating a transformed South Africa, a wholly new society, a national democratic society.⁷³

The governing practice of the ANC, along with its understanding of the office of government, relies on its adherence to the key ideas discussed above. First, the twin ideas of reconciliation and nation-building which were prominent, especially during the early years of ANC rule; second, the idea that South Africa had to be fundamentally transformed, reconstructed and developed, especially on a socio-economic level; third, the ideas of a national democratic revolution and an NDS; and, finally, the idea of national unity in purpose and action. Each idea has exercised a significant influence on how the ANC views its role and function as the government of South Africa.

Furthermore, these key ideas also reveal certain clear assumptions that shape the ANC's view of the state and its role as the government. First, the ANC assumes that the South African state is an association of people united in the common enterprise of transforming the country away from its Apartheid past towards the vision of 'a united, non-racial, non-sexist and democratic country based on the principles of the Freedom Charter and in pursuit of the national democratic revolution'.⁷⁴ This is a very clear expression of an enterprise association, a fact that is confirmed if we consider how the ANC understands the role and function of government.

The ANC primarily understands the office of government to be an instrument that can, and should, be used to transform the country. Therefore, governing serves the common enterprise of the state. Indeed, there is very little evidence that the ANC sees the government's task as simply providing a formal framework of conditional laws within which citizens can pursue their own individual ends; a view compatible with a civil association understanding. It is not that the ANC dismisses such a role for government; it is just that such a role would always remain subordinate to the broader enterprise identified for the South African state.

It seems clear that the ANC will view the office of ruling as it would function within a civil association as highly restrictive and incommensurate with its understanding of its 'historic mission'. Governing for the ANC is primarily about managing the resources and the people of the country towards the actualisation of the abstract ideals and transformation goals espoused in the idea of the NDR. In short, the ANC's view of the office of government fits neatly with Oakeshott's description of the office of government present in an enterprise association.

Therefore, the ANC's government since 1994 can be characterised by the following fundamental features, all of which point towards an enterprise association understanding of the state and government:

- First, as has become evident, these key ideas serve to identify a set of related purposes for the South African state. For instance, the South African state is an association of people united in the purpose of establishing a truly transformed and developed state compatible with the vision of the NDS. Such a purposive view of the state is a clear expression of an enterprise association.
- Second, the dominant ideas that guide the ANC-in-government, especially transformation, development and the NDR, refer mainly to a substantive condition, or set of substantive conditions, that need to be actualised within South Africa. This is most evident in its goal to improve the socio-economic conditions of the poor and correlates with Oakeshott's assertion that the purpose of an enterprise association always refers to a substantive condition of life and not just to a formal condition.
- Third, the guiding ideas themselves ascribe a specific purpose to the office of government; governing manages the affairs of the South African state towards attaining a specific purpose. Since the ANC understands South Africa to be an association of people united in the purpose of transforming and developing South Africa towards the goal of an NDS, it follows that it is the task of the ANC, as the embodiment of the South African nation, to lead this process. This it does from its position as the government by effectively managing state resources.
- Fourth, Oakeshott viewed the vast organisational and administrative ability, potentially available to the modern state, as an enabling device for the purposively minded state. The ANC's apparent willingness to assert its ruling presence in almost all areas of life through the extensive network of administrative power indicates that the government will use its power to achieve the stated purposes.
- Fifth, colonialism, as Oakeshott explains, deeply engrained a purposive approach to government within the respective colonies, making the appearance of an enterprise association following colonialism a diurnal event. Therefore, South Africa's colonial legacy, along with its history of purposive White rule, have left a legacy of purposive government as the only circumstantial example of rule familiar to South Africans.
- Finally, the ANC's own history of struggle has imbued the movement with a strong purposive disposition to all its actions. Its history of belligerence against an oppressor who wanted to eliminate it, instilled in the ANC a singular focus in its actions, a disposition that it clearly carried over into its understanding of its role as the government. This correlates with Oakeshott's assertion that war or belligerence is a certain breeding ground for an enterprise association.

Therefore, there is ample evidence for a conclusion that enterprise association defines the ANC's rule of the South African state, for based on the evidence, it explains

and informs the ANC's understanding of the South African state and of its role and function as government.

However, does a civil association understanding of the state exist within the ANC? Is there any evidence that there is a strong counterbalance within the ANC in the form of a significant civil understanding of the state and the office of government? Based on the aforementioned six points, it seems likely that civil association does not feature on the ANC's immediate horizons.⁷⁵ The importance of a central purpose to the state and the managerial role ascribed to the government both contradict the central features of a civil association. This does not mean that South Africa as a whole is devoid of a civil appreciation of human conduct,⁷⁶ but simply that it is absent from the ANC's appreciation of the South African state. Therefore, one can conclude that the ANC, as the ruling party, carries within its ideas and actions a strong enterprise association understanding of the South African state and its office of government, largely to the exclusion of civil association.

Conclusion

The main conclusion of this chapter is that the patterns, or habits, of thought prevalent within the ANC concerning state and government in South Africa conform to Michael Oakeshott's enterprise association, which in turn denotes a strong presence within the ANC of a style of politics aimed at the perfection, through political endeavour, of human circumstances.

These conclusions are based on certain specific circumstances that made the ANC receptive to purposive government, namely the availability of a powerful central administrative system, the legacy of South Africa's colonial past, and the ANC's own history of purposive struggle during its years as an active liberation movement fighting against White domination. All these circumstances proved to be fertile soil for the ANC to develop a strong enterprise association when they assumed governing power in 1994.

Upon assuming the authority of the state, and during the years that followed, the ANC clearly intended to direct its actions as government according to certain key ideas or principles, ideas that would help it distinguish between those actions or wishes that had to be encouraged and those that had to be avoided. These key ideas are reconciliation and nation-building; transformation, reconstruction and development; a national democratic revolution leading to a national democratic society; and the concepts of unity and solidarity. Without understanding the role and place of these key ideas, it would be impossible to understand the ANC government's view of its task as government, and therefore it would be impossible to appreciate the character of the ANC-in-government. It is largely from these ideas, and their logical consequences for governing practice, that the ANC drew the understanding of the state of South Africa as an association of people joined in the pursuit of a common purpose. This common

purpose is defined as a joint quest to attain a truly developed society in which the common good of a 'better life for all' is truly actualised and in which the legacy of the country's dark past will no longer encroach on people's lives. In this, it is the ANC's task, as government, to control and manage this process, leading South Africa on this road to earthly perfection.

This character of the ANC government leaves little scope for civil association, and there seems to be little evidence that it is sceptical of the possibilities of concerted political action. The historical precedent of a successful struggle against colonialism and White dominance and exploitation has instilled a great optimism within the ANC as to the possibilities of its political acts. Based on this example, the ANC will believe that the struggle for a truly transformed South Africa might take long and might have its failures along the way, but in no way would it lack ultimate success.

This does not mean that Oakeshott's claim that the dual character of a modern state is not applicable in South Africa. We have to remember that this study aimed to characterise only the ANC government and its understanding of the state and politics. Oakeshott's contention, therefore, probably still holds for the entire South African state, but as far as the ANC government is concerned, there is evidence only of an enterprise association. Sources for civil association need to be looked for elsewhere, although they might be rare. Those who want to enter the public arena will therefore face an ANC with little inclination to allow space to others who want their voice heard, especially not to those who are unwilling to, in the process, follow the lead of the government.

Notes

- 1 Between 1994 and 1996, the South African government was actually made up of a Government of National Unity (GNU) in which the ANC joined with the National Party and the Inkatha Freedom Party. However, the ANC's majority was such that it dominated the GNU, and therefore this study will treat the period between May 1994 and June 1996 as a period of ANC rule.
- 2 This duality is substantively explored in *On human conduct* (1975) and *The politics of faith and the politics of scepticism* (1996).
- 3 Oakeshott, M. 1975. *On Human Conduct*. Oxford: Clarendon Press: 111–117
- 4 Oakeshott, M. 1975. *On Human Conduct*. Oxford: Clarendon Press: 117–128; 158 passim.
- 5 Oakeshott, M. 1975. *On Human Conduct*. Oxford: Clarendon Press: 311–313.
- 6 Oakeshott, M. 1975. *On Human Conduct*. Oxford: Clarendon Press: 267–268. This same trend is also discussed in Oakeshott, M. 1996. *The Politics of Faith and the Politics of Scepticism*. New Haven: Yale University Press: 50–51; and, Oakeshott, M. 2006. *Lectures in the History of Political Thought*. Exeter: Imprint Academic: 474.
- 7 In June 2009, there were 46 national government departments (see <<http://www.info.gov.za/aboutgovt/dept.htm>>).

- 8 See the 2009 South African Government Information for a list of government departments, and South African Government Portal (<http://www.gov.za>) for a comprehensive list of all government commissions appointed since 1994.
- 9 Oakeshott, M. 2006. *Lectures in the history of political thought*. Exeter: Imprint Academic: 474.
- 10 Oakeshott, M. 1975. *On Human Conduct*. Oxford: Clarendon Press: 272.
- 11 The European colonial powers convinced themselves that their main 'gift' to their former colonies was the various liberal constitutions they left behind, even if they were often hastily constructed just before they finally withdrew. However, this view is incorrect, according to Oakeshott, for it confuses the constitution of a government with its actual engagements, and the techniques of ruling with the type of association (see Oakeshott, M. 1975. *On Human Conduct*. Oxford: Clarendon Press: 296f).
- 12 ANC. 1987. Advance to power. 75 years of struggle. <http://www.anc.org.za/ancdocs/history/75years.html> [Accessed 3 December 2006].
- 13 ANC. 1987. Advance to Power: 75 Years of Struggle. <http://www.anc.org.za/ancdocs/history/75years.html> [Accessed 3 December 2006].
- 14 The ANC's election campaign was built around the two strategic objectives of political liberation and social liberation (Mandela, N. 1994b. State of the Nation Address. 24 May 1994. <<http://www.info.gov.za/speeches/1994/170595002.htm>> [Accessed 3 December 2007]. both reflecting the idea of struggle towards a final liberation.
- 15 ANC. 2007. African National Congress Constitution. <<http://www.anc.org.za/show.php?doc=./history/const/const2007.html>> [Accessed 17 April 2008]
- 16 It should be noted that a movement as complex and as broad as the ANC is never exhaustively characterised by just a handful of ideas. The whole ideational structure that constitutes the cognitive world of the ANC is made up of a complex structure of linkages between a whole host of concepts as wide-ranging as democracy, freedom, justice, rule of law, morality, class, equality, individuality, gender, nation, Africanism, etc. What is noticeable within such a network of related concepts is that some concepts constitutes the core of this network while other are situated further away from the core and might even be at the periphery. Those concepts at the core serve as the basis of meaning for those further away from the core; the concepts at the core serve as anchors for those concepts at the outer edges (see Michael Freeden's discussion on such a 'morphological' treatment of idea clusters). See Freeden, M. 1996. *Ideologies and Political Theory: A Conceptual Approach*. Oxford: Oxford University Press. It is in this light that the core concepts or key ideas of the ANC identified in this study will be discussed.
- 17 Mandela, N. 1994. Statement of the president of the African National Congress, Nelson Mandela, at his inauguration as President of the democratic Republic of South Africa, Union Buildings, Pretoria, 10 May 1994. <<http://www.info.gov.za/speeches/1994/990319514p1006.htm>> [Accessed 12 April 2008.]
- 18 This 1997 *Strategy and Tactics* document was reaffirmed at the 2002 Conference, and thus served as the guiding document of the ANC in terms of basic strategy and tactics up to the 2007 Conference when an amended document, in which this section was changed, replaced it.

- 19 ANC. 1997. Strategy and Tactics. As amended at the 50th National Conference, December 1997. <<http://www.anc.org.za/ancdocs/history/conf/conference51/index.html>> [Accessed 2 December 2007]
- 20 See for example ANC. 1997. Strategy and Tactics. As amended at the 50th National Conference, December 1997. <<http://www.anc.org.za/ancdocs/history/conf/conference51/index.html>> [Accessed 2 December 2007]; ANC. 2002. People's power in action. Preface to the strategy and tactics of the ANC. <<http://www.anc.org.za/ancdocs/history/conf/conference51/index.html>> [Accessed 2 December 2007.] (The 2002 document adds the words 'and prosperous'); and, ANC. 2007. African National Congress Constitution. <<http://www.anc.org.za/show.php?doc=./history/const/const2007.html>> [Accessed 17 April 2008.]
- 21 Mandela, N. 1994b. State of the Nation Address. 24 May 1994. <<http://www.info.gov.za/speeches/1994/170595002.htm>> [Accessed 3 December 2007.]
- 22 Ibid.
- 23 Ibid.
- 24 The ANC contested the 1994 elections with the campaign 'A Better Life for All' with the RDP as the strategy to achieve this belief. See ANC. 1997b. The core values of the RDP. <<http://www.anc.org.za/ancdocs/discussion/rdp.html>> [Accessed 5 May 2008] where this view is emphasised. This concept of a 'better life for all' assumed that the truly good and fulfilling human life is closely related to the improvement and even perfection of human circumstances, since it is these circumstances that shape the human condition.
- 25 ANC. 1994. State of the organisation. From resistance to reconstruction and nation-building. Bloemfontein, 17–21 December 1994. <<http://www.anc.org.za/ancdocs/history/conf/conference49/state49.html>> [Accessed 21 December 2007.]
- 26 The word 'transformation' implies a complete change in the very nature of an object, and although this is closely related to the idea of a revolution, it does not entail violence. This close association between revolution and transformation is understood as a total change that enables the discourse within the ANC to move easily between the ideas of transformation and the National Democratic Revolution.
- 27 ANC. 1994c. Declaration of the 49th National Conference of the African National Congress – Bloemfontein, December 1994. <<http://www.anc.org.za/ancdocs/history/conf/conference49/declare49.html>> [Accessed 21 December 2007]
- 28 ANC. 2000b. Uprooting the demon of racism. *Umrabulo: Special edition*, May 2000. <<http://www.anc.org.za/ancdocs/ngcouncils/docs2000/discuss3.html>> [Accessed 26 September 2001]
- 29 Republic of South Africa. 1994. White paper on Reconstruction and Development. <<http://www.info.gov.za/gazette/whitepaper/1994/16085.pdf>> [Accessed 12 June 2007: 7]
- 30 Ibid.
- 31 Ibid.
- 32 See ANC. 1997c. Organisational democracy and discipline in the movement. *Umrabulo: 2nd Quarter*, 1997. <<http://www.anc.org.za/ancdocs/discussion/discipline.html>> [Accessed 12 February 2008]

- 33 See Mbeki, T. 2007. Opening address and political report of the President of the ANC, Thabo Mbeki, to The 52nd National Conference. <<http://www.anc.org.za/ancdocs/history/mbeki/2007/tm1216.html>> [Accessed 10 April 2008.] In 2009, the government decided to establish a new planning commission. The decision proves the ANC's commitment to developing a strategy to direct the country's developmental agenda. When he established the National Planning Commission within the Presidency, Jacob Zuma explained that '[t]he NPC will be responsible for strategic planning for the country to ensure *one National Plan* to which all spheres of government would adhere' (emphasis added) (Zuma, J. 2009. Jacob Zuma announces cabinet choices. <<http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71619?oid=128222&sn=Detail>> [Accessed 10 May 2009.]) See also, ANC. 2008. Declaration of the Alliance Economic Summit, 19 October 2008. <<http://www.anc.org.za/ancdocs/pr/2008/pr1019.html>> [Accessed 20 October 2008]
- 34 Republic of South Africa. 2010. The new growth path. <<http://www.info.gov.za/aboutgovt/programmes/new-growth-path/index.html>> [Accessed 12 January 2011]
- 35 The RDP and GEAR, for example, were premised on fundamentally different approaches to industrial policy, its relationship with trade policy and other key issues relating to the mandate of the Reserve Bank, the role of the treasury in the planning process of the government's spending priorities, questions of inflation targeting, the role of state-owned enterprises, and rural and agrarian reform, to name but a few.
- 36 ANC. 1997b. The core values of the RDP. <<http://www.anc.org.za/ancdocs/discussion/rdp.html>> [Accessed 5 May 2008].
- 37 Republic of South Africa. 1999. *South Africa Yearbook 1999*. GCIS: Pretoria: 47.
- 38 ANC. 1994b. Report on government. Bloemfontein, 17–21 December 1994. <<http://www.anc.org.za/ancdocs/history/conf/conference49/govrep49.html>> [Accessed 21 December 2007].
- 39 ANC. 1997b. The core values of the RDP. <<http://www.anc.org.za/ancdocs/discussion/rdp.html>> [Accessed 5 May 2008]; Republic of South Africa. 1994. White paper on Reconstruction and Development. <<http://www.info.gov.za/gazette/whitepaper/1994/16085.pdf>> [Accessed 12 June 2007].
- 40 Republic of South Africa. 1994. White paper on Reconstruction and Development. <<http://www.info.gov.za/gazette/whitepaper/1994/16085.pdf>> [Accessed 12 June 2007: 8].
- 41 Republic of South Africa. 1994. White paper on Reconstruction and Development. <<http://www.info.gov.za/gazette/whitepaper/1994/16085.pdf>> [Accessed 12 June 2007:6].
- 42 See Oakeshott, M. 1975. *On Human Conduct*. Oxford: Clarendon Press: 296–307.
- 43 ANC. 2007. *African National Congress Constitution*. <<http://www.anc.org.za/show.php?doc=/history/const/const2007.html>> [Accessed 17 April 2008: 2].
- 44 The idea of a national democratic revolution has a long history in the SACP. Back in 1928, under pressure from Moscow, it adopted the idea of a two-stage revolution in South Africa. For the next 75 years, the basic strategy of the SACP could be summarised by the slogan 'an independent native republic as a stage towards a workers' and peasants' revolution'. The words 'nationalist democratic' were regularly used to describe the first stage of this revolution in which communists would forge alliances with 'reformist' Black organisations to overcome the White government. The resultant Black victory would then be followed by a socialist revolution (Giliomee, H. & Mbenga, B. (eds.) 2007. *New history of South Africa*. Cape Town: Tafelberg: 249).

- 45 ANC. 2007b. Strategy and Tactics. Building a National Democratic Society. <http://www.anc.org.za/ancdocs/history/conf/conference52/strategy_tactics.pdf> [Accessed 10 May 2008: 3].
- 46 Ibid.
- 47 ANC. 1997. Strategy and Tactics. As amended at the 50th National Conference, December 1997. <<http://www.anc.org.za/ancdocs/history/conf/conference51/index.html>> [Accessed 2 December 2007].
- 48 1994 did not, however, entail a complete replacement of the 'Apartheid state' with a 'democratic state' in the eyes of the ANC. The handover of 1994 did present the ANC with formal state power, but this had to be used to fundamentally transform state structures. Structural changes had to be implemented especially in terms of the state machinery. So, for example, the personnel in the civil service had to be replaced or transformed in terms of their political and ideological orientation (see ANC. 2000. Tasks of the NDR and the mobilisation of the motive forces. *Umrabulo: Special edition*, May 2000. <<http://www.anc.org.za/ancdocs/ngcouncils/docs2000/dicuss1.html>> [Accessed 26 September 2001].
- 49 ANC. 1997. Strategy and Tactics. As amended at the 50th National Conference, December 1997. <<http://www.anc.org.za/ancdocs/history/conf/conference51/index.html>> [Accessed 2 December 2007]
- 50 Ibid.
- 51 ANC. 2000. Tasks of the NDR and the mobilisation of the motive forces. *Umrabulo: Special edition*, May 2000. <<http://www.anc.org.za/ancdocs/ngcouncils/docs2000/dicuss1.html>> [Accessed 26 September 2001].
- 52 Ibid.
- 53 Ibid.
- 54 A 'democratic state' here refers to a state that will pursue the NDR agenda, namely a state that will act to emancipate the majority (the *demos*), mainly the poor, from oppression and disadvantage in all spheres of life mainly through a transformation of the economy. Here, democracy is understood in a substantive (socio-economic) sense, and not in a formal, institutional (political) sense.
- 55 ANC. 2000. Tasks of the NDR and the mobilisation of the motive forces. *Umrabulo: Special edition*, May 2000. <<http://www.anc.org.za/ancdocs/ngcouncils/docs2000/dicuss1.html>> [Accessed 26 September 2001].
- 56 The formal definition provided for a developmental state in the *Strategy and tactics* document is: 'An activist state that intervenes decisively in the economy with a generally progressive agenda' (ANC. 2007b. Strategy and tactics. Building a National Democratic society. <http://www.anc.org.za/ancdocs/history/conf/conference52/strategy_tactics.pdf> [Accessed 10 May 2008: 20]. Furthermore, Jacob Zuma argued that the global financial crisis that started in 2008 justified the ANC government's activist stance towards the economy and stated that '[t]he era of the developmental state that intervenes actively in the economy has arrived' (quoted in Johwa, W. 2009. Time for the state to step in, says Zuma. *Business Day*, 2 February 2009).
- 57 ANC. 2007b. Strategy and tactics. Building a National Democratic society. <http://www.anc.org.za/ancdocs/history/conf/conference52/strategy_tactics.pdf> [Accessed 10 May 2008: 5].

- 58 It is important to note that the NDS, the ideal state that the ANC strives for, continually allows for a strongly interventionist state that will push the tasks of the NDR. Statements like these create the impression that the NDR will not necessarily have a terminal point. ANC. 2007b. Strategy and Tactics. Building a National Democratic Society. <http://www.anc.org.za/ancdocs/history/conf/conference52/strategy_tactics.pdf> [Accessed 10 May 2008: 5].
- 59 '... the ANC, the vanguard of the NDR ...' (ANC. 1997. Strategy and Tactics. As amended at the 50th National Conference, December 1997. <<http://www.anc.org.za/ancdocs/history/conf/conference51/index.html>> [Accessed 2 December 2007]).
- 60 2006
- 61 See above.
- 62 The adoption of democratic centralism, a characteristically Leninist idea, is another demonstration of the important influence of the SACP on the ANC, both ideologically and organisationally.
- 63 ANC. 1997c. Organisational democracy and discipline in the movement. *Umrabulo: 2nd Quarter*, 1997. <<http://www.anc.org.za/ancdocs/discussion/discipline.html>> [Accessed 12 February 2008].
- 64 Ibid.
- 65 ANC. 2007. African National Congress Constitution. <<http://www.anc.org.za/show.php?doc=./history/const/const2007.html>> [Accessed 17 April 2008:4].
- 66 ANC. 1982. Unity in action. A short history of the African National Congress (South Africa), 1912–1982. <<http://www.anc.org.za/ancdocs/history/unity.html#ch3>> [Accessed 22 May 2007].
- 67 One of the ANC's own renditions of its history is tellingly entitled 'Unity in action. A short history of the African National Congress (South Africa), 1912–1982.' See (ANC. 1982. *Unity in action. A short history of the African National Congress (South Africa)*, 1912–1982. <<http://www.anc.org.za/ancdocs/history/unity.html#ch3>> [Accessed 22 May 2007]).
- 68 See ANC. 1969. Strategies and tactics of the ANC. <<http://www.anc.org.za/ancdocs/history/stratact.html>> [Accessed 22 May 2007].
- 69 This perception is affirmed by statements made in a conference briefing after the ANC's 2002 National Conference: 'This 51st National Conference rises with an ANC that is united and more determined than ever to strengthen its role as the voice of the people of South Africa, *an expression of the aspirations of all*, and particularly of the poor' [emphasis added] (ANC, 2003. Conference briefing. Briefing notes on the ANC 51st National Conference, December 2002. <<http://www.anc.org.za/ancdocs/history/conf/conference51/Conferencebrief.pdf>> [Accessed 12 May 2008: 2]).
- 70 Netshitenzhe, J. 2008. Mapping the South African political economy. Does politics drive the economy or vice versa? *Umrabulo Vol. 31*. <<http://www.anc.org.za/show.php?doc=ancdocs/pubs/umrabulo/umrabulo31/art3.html>> [Accessed 6 September 2008].
- 71 See above quote in ANC, 2003. Conference briefing. Briefing notes on the ANC 51st National Conference, December 2002. <<http://www.anc.org.za/ancdocs/history/conf/conference51/Conferencebrief.pdf>> [Accessed 12 May 2008:2].
- 72 This aspect of the focus on unity informed much of the discourse surrounding nation-building and reconciliation as discussed earlier.

- 73 See, for example Jacob Zuma's address in Uganda on the role of liberation movements (Zuma, J. 2008. Memorial lecture delivered by ANC president Jacob Zuma in honour of the late Brigadier Noble Mayombo, Kampala, Uganda, 16 July 2008. <<http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71654?oid=94263&sn=Detail>> [Accessed 17 July 2008]). He emphasised that liberation movements that attain governing power, as happened with the ANC, must never focus solely on the day-to-day governance of the country, but that it must remember its key task of the 'conscientisation of the people'; that is, making the people aware that their true interests can be attained by working together in unity with the liberation movement. This he referred to as the 'political work' of a liberation movement.
- 74 ANC. 2007. *African National Congress Constitution*. <<http://www.anc.org.za/show.php?doc=./history/const/const2007.html>> [Accessed 17 April 2008: 2].
- 75 The Freedom Charter is often referred to as a document envisioning a society in which free human agency is prioritised. However, this document understands this 'freedom' as emerging out of a collective, purposive struggle aimed at the actualisation a common good based on the exploitation of the countries national wealth (ANC. 1955. *The Freedom Charter*. <<http://www.anc.org.za/ancdocs/history/charter.html>> [Accessed 21 April 2006]). This is hardly fertile soil for the emergence of a civil association.
- 76 There will always be at least some insistence on individual human agency in any society, for in spite of increasing government influence, it remains impossible for any government, no matter how coercive or coopting its rule, to overawe individual self-actualisation completely. Therefore, there will always be those individuals who are willing to embrace what Oakeshott calls the 'adventure' of being free agents. Furthermore, it must be noted that although there might be a trend towards greater government management and control over increasing spheres of life, South Africa still offers great scope for individuals to steer and direct their own lives to their choice. In other words, there is still significant room for individual agency, which in turn, will tend to engender an appreciation for civil association. However, South Africa's unique history of oppression and exploitation is usually enough to convince even strong advocates of individual agency of the appropriateness of an overarching transformative and developmental purpose for the state.

6

Chapter

The methodology of polling public opinion in South Africa: Measuring the pulse of the people¹

Mari Harris

There are now two superpowers in the world: the United States of America and public opinion. While the Americans may dominate the world economy, they do not dominate public opinion.

To succeed today, world leaders must routinely take public opinion into account and deal with the fact that the public trusts them less and less. Every day, on every continent, citizens are expressing their choices and preferences, thus directly or indirectly influencing the future of our planet.

Voice of the People, 2006

Today, most countries in the world claim to be democracies – in theory, the rule *of* the people, *for* the people and *by* the people. Although the meaning of democracy has shifted over time, it is still seen as an appropriate form of government in most parts of the world.² While it was possible in ancient Greece to rule by seeing, hearing and speaking to ‘the people’ and, therefore, get an understanding of their ‘will’, times have changed and in today’s world leaders and governments have little way of instinctively knowing what the majority think, let alone what they want. The gap between government and citizens has become a gulf.

In the late 1930s and early 1940s Dr George H Gallup started asking people in the US what they thought, what they believed and what they knew in order to understand what they wanted. He proved that it was possible to measure the will of the people through opinion polls by taking representative samples of the target population. He claimed: ‘The advent of modern public opinion polls, dealing as they do with important political, social and economic issues of the day, helps to provide an opportunity to let government officials, public and private institutions, and the public itself know where the people stand on these issues.’³

Since undertaking its first public opinion study in 1976, Ipsos Markinor has been at the forefront of polling public opinion in South Africa. Over the years, the same questions have been asked on a regular basis, enabling the documentation of the paradigm shift that has taken place in this country by providing insight into the ‘hearts and minds’ of South Africans.

During this period, South Africa has made news headlines all over the world. Political unrest and the process of negotiation and political transformation that have taken place in the country attracted the attention of political leaders, journalists, academics and even the general public worldwide.

Universal suffrage was introduced for the first time in South Africa in the 1994 election. While Whites, Coloureds and Asians could vote for parties and politicians of their choice (albeit only within their own population groups) before, Black South Africans – more than three-quarters of the population of the country – went to the polls for the first time in April 1994. However, it was not only a new experience for them; it was also the first truly democratic election for the rest of the population.

Ipsos Markinor, as well as other organisations and specialists, had done political opinion research for many years, but were never quite sure if the results were a true reflection of the public opinion. Some of the questions that were raised by the democratisation were: What would happen in a democratic general election? Would our findings be confirmed or proved totally wrong?

The advent of democracy in South Africa gave us the opportunity to prove for the first time to those criticising the credibility and reliability of survey research findings, sample sizes and other aspects of public opinion polling that survey research can be successfully applied in the fields of politics, political scenario planning and strategic planning for political parties, and could even be used to a lesser degree to predict election outcomes.

This chapter will outline the methodologies and research processes applied rather than concentrate on findings. The key in discussing these aspects is that the researcher needs to ensure that the prescribed processes are strictly adhered to and that all interviewers *do* the same and all respondents *understand* the same.

Important considerations: Coverage, fieldwork and questionnaire design⁴

As mentioned, Ipsos Markinor has been tracking sociopolitical trends since 1976, the year of the much-publicised uprisings in Soweto and other townships. Since those early days the same battery of questions was included every six months as part of a syndicate/omnibus survey. The bulk of the cost of these surveys is carried by the company itself, although a fee is paid by subscribers to the survey. Regular press releases are also published, as this is an ideal way of informing the public about how others similar to them think and feel.

The formulation of the questions was kept exactly the same in all the surveys – this is quite an important aspect as it creates access to an unrivalled library of South African trends. In the early years, questions revolved around race relations and the economic wellbeing of individuals and families. After the unbanning of the ANC (African National Congress), PAC (Pan Africanist Congress), SACP (South African Communist Party) and other political organisations, and the release from prison of Mr Nelson Mandela and others in February 1990, for the first time the public's opinions on some other pertinent issues could also be gauged, such as:

- How do South Africans rate the country's leadership and prominent politicians?
- Which political party would they vote for if elections were held?

Addressing the social and economic problems in South Africa is a priority – and a list of questions has been designed to assess the government's success in resolving these. These questions have been included as part of the regular studies since 1994.

A number of questions were added through the years and currently the questions cover key sociopolitical issues and developments, leadership, prominent politicians and organisations, government performance, topical issues and expectations of the future – it is possible to ask questions about anything. The well-known technique of 'hurdling' is used when designing the questionnaire, which means the innocuous questions are asked first and then the more difficult ones. For example, in a survey about HIV and AIDS, general views on gender and sex are established first, before the questions about personal sexual activities are asked.

Owing to the political violence and fears of intimidation in the early nineties, it was decided that the question on party support should resemble a secret vote. We printed 'ballot papers' and the respondent personally filled in the ballot paper, folded it, placed it in an envelope and sealed the envelope before giving it back to the interviewer. This ensured that very few respondents refused to answer this question. This technique is still used in political research.

Naturally, the use of a syndicate/omnibus as a vehicle for these surveys also has some inherent limitations. Syndicate/omnibus surveys were developed years ago essentially to do product surveys and, therefore, the coverage is usually limited to the most lucrative markets. However, from 1995, the survey was fortunately included in a new national omnibus (now called 'Khayabus').

The mood of the entire electorate can thus be gauged. A total of 3 500 interviews is conducted with a representative sample of adults in all nine provinces – with an equal split between genders. Samples are stratified as far as possible by region and community size. The interviewer is given a specific location (address in urban/metropolitan areas and place in rural areas) to survey. The specific household on a plot/stand, as well as the person to interview, is selected randomly by applying a random selection grid. Three efforts (different days and times) are made to talk to the chosen respondents. If the interviewer still cannot secure an interview, the original is substituted in a prescribed way. All interviews are carried out face to face in the homes of respondents. (For more information, see the section on 'sampling'.)

The questionnaires are translated into the relevant languages of the survey areas. Only interviewers fluent in the language spoken in the particular area are allowed to conduct interviews in the language preferred by the respondent.

Results are weighted and projected onto the universe and are representative of the universe from which it is drawn.

All interviewers are briefed personally by the project executive, field manager and field supervisor. Thorough and proper validation of fieldwork is essential for the overall quality of the survey and the credibility of the data generated from the survey. In line with the SAMRA (South African Marketing Research Association)

and ESOMAR (European Society of Opinion and Marketing Research) codes of conduct, 20 per cent of each interviewer's work is back-checked. If any inconsistencies are found, 100 per cent of the interviewer's work is back-checked. The following are policy and procedural guidelines for validation of the interviewing process:

- Validation is done on a continuous basis as interviews are completed. All validations must be completed within five days after interviewing has taken place. (Validations can be done personally or telephonically.)
- Any inconsistencies, questionable interviews, or other problems that cause concern about an interviewer's work must lead to a complete validation of all his/her work.
- If further problems are detected all of this interviewer's work is deleted from the study. If faulty interviews are found, and it becomes necessary to eliminate an interviewer's work, replacement interviews will be conducted according to the basic sampling and field procedures specified for the study.
- Specifically, back-checks will ensure that all sampling instructions are strictly adhered to. The back-checking will further entail re-interviewing the respondent on a few key questions selected at random from one questionnaire to the other.

Sample size is always a contentious issue but, in essence, sample size for a project is determined by three factors:

- **Sample error.** As opinion surveys are not an exact size, all sample surveys are subject to a statistical error, expressed in a percentage within which the results of the survey will fall. This sample error is determined by sampling methodology, sample size and response rate. Interestingly, if the sample size is doubled the sample error will not necessarily be halved. Therefore, it is very important for the researcher (and the client) to determine which sample error will be acceptable for the survey.
- **Analysis requirements.** This involves the coverage of the survey and the sub-groups for which separate analysis will be needed. If the survey results are going to be used to inform policy about what the South African electorate thinks, it is very important that all population groups and all communities in the country form part of the sample design. Too often the results of a survey done in metropolitan areas only are reported on as if it was done countrywide. In addition, it has to be decided which is the smallest group for which separate analysis will have to be done. If one only wants to look at the results in general, a smaller sample can be interviewed as when results per province or results per type of community per province are needed.
- **Budget.** This is one of the most important considerations for the client; interviewing in deep rural areas requires travel and subsistence allowances and is therefore rather expensive. Likewise, a very long interview will require more survey time and a larger budget.

Sampling – the crux of the matter

At Ipsos Markinor a rigorous probability sampling process for opinion surveys is employed to ensure that each person in the universe has a measurable chance to be selected to form part of the study. The focus is to eliminate all possible interviewer and respondent bias.

In essence, there are two methods of sampling, namely:

- non-probability (quota) methods; and
- probability methods.

The main difference between the two sampling methods is that for non-probability procedures the selection of respondents is *not* based on chance or random selection procedures. The selection probability is not known and cannot be calculated.

Several techniques of sampling fall under the non-probability (quota) sampling method:

- **Convenience sampling** – For example when a questionnaire is added to a magazine. Persons that complete the questionnaire are taken as the sample.
- **Haphazard sampling** – For example people passing a corner
- **Expert sampling** – Sample elements are selected subjectively and deliberately by an expert on a topic.
- **Purposive sampling** – Selections of certain population sub-groups are made deliberately to obtain a better representation.

Probability sampling is when each element in the population has a known chance of being selected. In probability sampling, the population can be easily identified by using lists of the units. The relationship between the population and the sample is known. The selection of the sample is unbiased, representative and random. There are several sampling procedures that can be followed when using the probability method of sampling:

- **Simple random sampling (SRS)** – Every unit in the population has the same probability or chance of being selected into a sample.
- **Systematic sampling (SS)** – This requires a systematic selection of elements from a list of the elements starting from a random starting point.
- **Cluster sampling** – Non-overlapping groups of population elements are formed and sampled.
- **Stratified sampling** – The population is divided into sub-populations (strata) that are homogeneous. Samples are selected from each stratum independently.

The major difference between a quota sample and a probability sample is that the interviewer has no influence whatsoever on selecting the area / dwelling / household / respondent in the case of probability / random sampling.

In a random sample, the respondent is selected according to statistical chance or probability – no subjective influence from the interviewer is allowed to interfere. Once this basic principle is understood, all following instructions make sense. They all serve this one purpose; that is, to eliminate interviewer bias when selecting respondents.

Sampling method

The method Ipsos Markinor employs in sampling for the Khayabus studies can be described in detail as follows:

Using published population data, a multi-stage probability sample is drawn. The sample is stratified first by province and then by the geography type (metropolitan area, city, large town, small town, village or rural area).⁵ The number of EAs (sampling points) to be drawn in each stratum will be proportional, based on the number of households.⁶ The allocated number of EAs in each stratum will be drawn systematically with probability proportional to size (pps) using the number of households as its measure of size (MOS). An equal number of households will be drawn in all EAs within the area. The purpose of this arrangement is to ensure the best possible coverage of the area.

A random starting point is selected using the Geographical Information Systems (GIS) that Ipsos Markinor regularly uses. Ipsos Markinor has detailed maps of metro areas, cities and large towns in South Africa. With the aid of these maps and street directories they are able to randomly select the starting point; that is, determine the starting street/point from which selection of dwellings should take place. In instances where the street data do not provide the street name, the name will be indicated as 'unknown'. In such cases, interviewers must orientate themselves by using other street names and prominent features (such as schools, police stations, churches, rivers) on the maps. Once the starting point has been located, the interviewers are required to work systematically by selecting every n th household. Interviewers are all trained on the sampling methodologies to be used in urban, informal and tribal settlements. In towns where detailed street information is not available, interviewers are given a letter of the alphabet (determining the street) and a number (determining the house number of the first interview).

When the houses are counted, interviewers are instructed to count only those in which people live; that is, households. Factories, shops, vacant dwellings, vacant land, parks, and so on do *not* count as households, except if people live there. If a shop has a person living in the backroom then it will be included. This procedure of selecting dwellings is called Random Walk and is used internationally.

Interviewers are trained to complete the sampling first, then go back and conduct the interviews. The interviewer's sampling manual makes provision for all types of settlement and gives instructions on how to handle all these situations – in metropolitan, urban and rural areas.

In the case where there is more than one household in the selected dwelling, there are instructions to be followed as to which household to select:

- The interviewer establishes from someone living there how many different families who arrange their own food live in the dwelling.
- These families are listed in the space provided on the questionnaire, with the family living in the main (or biggest) structure being Number 1. All families are listed and then the questionnaire number is used to select a household.

Eligible members of the household who are 16 years and older will be listed on a Kish grid, starting with the youngest to the oldest, *or* only to list all the female adults aged 16 years and older (starting with the youngest to oldest), *or* only the male adults (starting with the youngest to the oldest). The age group requirements vary depending on the study.

The following pages give an example of what a selection grid looks like. The information that must be captured on the selection grid may vary depending on the project. The selection grid is used to determine who must be interviewed. The grid requests that all females 16 years and older are recorded. The youngest female will be written as person Number 1, followed by the next person until the oldest female in the household is written in the last space. The age group that the person belongs to needs to be circled. The next set of information that is required is whether the person is working or not. If the person is working then ‘yes’ will be circled, if the person is not working then ‘no’ will be circled. The last column will be used to determine which qualifying person will be interviewed. The selection procedures below the grid must be followed.

SELECTION OF RESPONDENT							
How many females/males 16+ are part of this household?							
No:..... List all females/males 16+ in the household from youngest to oldest.							
Write in: LAST 2 DIGITS OF QUESTION- NAIRE NUMBER	ORIGINAL HOUSEHOLD						
	AGES		WORKING		RING ORIGINAL QUALIFYING RESPONDENT		
WRITE IN: FEMALES/MALES + AGE YOUNGEST Mary (18 years)	16-24	25-34	35-49	50+	YES	NO	
	-1	-2	-3	-4	-1	-2	-1

2 ND Andrea (25 years)	-1	(-2)	-3	-4	(-1)	-2	-2
3 RD Nthabiseng (47 years)	-1	-2	(-3)	-4	-1	(-2)	-3
4 TH Lerato (65 years)	-1	-2	-3	(-4)	-1	(-2)	-4
5 TH Rejoice (72 years)	-1	-2	-3	(-4)	-1	(-2)	-5
6 TH	-1	-2	-3	-4	-1	-2	-5
7 TH	-1	-2	-3	-4	-1	-2	-5
8 TH	-1	-2	-3	-4	-1	-2	-5
9 TH	-1	-2	-3	-4	-1	-2	-5
10 TH OLDEST	-1	-2	-3	-4	-1	-2	-5
IF SUBSTITUTION RING AGE AND WORKING STATUS	-1	-2	-3	-4	-1	-2	-5
SELECTION PROCEDURE							
IF NONE:	SUBSTITUTE WITH NEXT HOUSEHOLD.						
IF ONE:	INTERVIEW THIS ONE.						
IF TWO:	INTERVIEW YOUNGEST IF Q. NO ENDS IN 0, 2, 4, 6, 8. INTERVIEW OLDEST IF Q. NO ENDS IN 1, 3, 5, 7, 9.						
IF THREE:	INTERVIEW YOUNGEST IF Q. NO ENDS IN 1, 2, 3. INTERVIEW MIDDLE ONE IF Q. NO ENDS IN 4, 5, 6. INTERVIEW OLDEST IF Q. NO ENDS IN 7, 8, 9. IF Q. NO ENDS IN 0, APPLY THIS PROCEDURE TO SECOND OR THIRD LAST DIGIT OF Q. NO.						
IF FOUR:	INTERVIEW YOUNGEST IF Q. NO ENDS IN 1, 2. INTERVIEW SECOND YOUNGEST IF Q. NO ENDS IN 3, 4. INTERVIEW SECOND OLDEST IF Q. NO ENDS IN 5, 6. INTERVIEW OLDEST IF Q. NO ENDS IN 7, 8. IF Q. NO ENDS IN 9 OR 0, APPLY THIS PROCEDURE TO SECOND OR THIRD LAST DIGIT OF Q. NO.						
IF FIVE:	INTERVIEW YOUNGEST IF Q. NO ENDS IN 1, 2. INTERVIEW SECOND YOUNGEST IF Q. NO ENDS IN 3, 4. INTERVIEW MIDDLE ONE IF Q. NO ENDS IN 5, 6. INTERVIEW SECOND OLDEST IF Q. NO ENDS IN 7, 8. INTERVIEW OLDEST IF Q. NO ENDS IN 9, 0.						

IF SIX	INTERVIEW YOUNGEST IF Q. NO ENDS IN 01–17. INTERVIEW SECOND YOUNGEST IF Q. NO ENDS IN 18–33. INTERVIEW THIRD YOUNGEST IF Q. NO ENDS IN 34–50. INTERVIEW FOURTH YOUNGEST IF Q. NO ENDS IN 51–67. INTERVIEW FIFTH YOUNGEST IF Q. NO ENDS IN 68–83. INTERVIEW OLDEST IF Q. NO ENDS IN 84–00.
IF SEVEN	INTERVIEW YOUNGEST IF Q. NO ENDS IN 01–14. INTERVIEW SECOND YOUNGEST IF Q. NO ENDS IN 15–29. INTERVIEW THIRD YOUNGEST IF Q. NO ENDS IN 30–43. INTERVIEW FOURTH YOUNGEST IF Q. NO ENDS IN 44–57. INTERVIEW FIFTH YOUNGEST IF Q. NO ENDS IN 58–71. INTERVIEW SIXTH YOUNGEST IF Q. NO ENDS IN 72–86. INTERVIEW OLDEST IF Q. NO ENDS IN 86–00.
IF EIGHT	INTERVIEW YOUNGEST IF Q. NO ENDS IN 01–12. INTERVIEW SECOND YOUNGEST IF Q. NO ENDS IN 13–25. INTERVIEW THIRD YOUNGEST IF Q. NO ENDS IN 26–38. INTERVIEW FOURTH YOUNGEST IF Q. NO ENDS IN 39–50. INTERVIEW FIFTH YOUNGEST IF Q. NO ENDS IN 51–63. INTERVIEW SIXTH YOUNGEST IF Q. NO ENDS IN 64–75. INTERVIEW SEVENTH YOUNGEST IF Q. NO ENDS IN 76–88. INTERVIEW OLDEST IF Q. NO ENDS IN 89–00.
IF NINE	INTERVIEW YOUNGEST IF Q. NO ENDS IN 01–11. INTERVIEW SECOND YOUNGEST IF Q. NO ENDS IN 12–22. INTERVIEW THIRD YOUNGEST IF Q. NO ENDS IN 23–33. INTERVIEW FOURTH YOUNGEST IF Q. NO ENDS IN 34–44. INTERVIEW FIFTH YOUNGEST IF Q. NO ENDS IN 45–55. INTERVIEW SIXTH YOUNGEST IF Q. NO ENDS IN 56–66. INTERVIEW SEVENTH YOUNGEST IF Q. NO ENDS IN 67–77. INTERVIEW EIGHTH YOUNGEST IF Q. NO ENDS IN 78–88. INTERVIEW OLDEST IF Q. NO ENDS IN 89–00.
IF TEN	INTERVIEW YOUNGEST IF Q. NO ENDS IN 01–10. INTERVIEW SECOND YOUNGEST IF Q. NO ENDS IN 11–20. INTERVIEW THIRD YOUNGEST IF Q. NO ENDS IN 21–30. INTERVIEW FOURTH YOUNGEST IF Q. NO ENDS IN 31–40. INTERVIEW FIFTH YOUNGEST IF Q. NO ENDS IN 41–50. INTERVIEW SIXTH YOUNGEST IF Q. NO ENDS IN 51–60. INTERVIEW SEVENTH YOUNGEST IF Q. NO ENDS IN 61–70. INTERVIEW EIGHTH YOUNGEST IF Q. NO ENDS IN 71–80. INTERVIEW NINTH YOUNGEST IF Q. NO ENDS IN 81–90. INTERVIEW OLDEST IF Q. NO ENDS IN 91–00.
SUBSTITUTE ONLY IF ORIGINAL SELECTED PERSON CANNOT BE CONTACTED EVEN AFTER 3 CALLS, INCLUDING EVENING CALLS. ESTABLISH AGE AND WORKING STATUS OF ORIGINAL SELECTED PERSON (FROM NEIGHBOUR IF NECESSARY).	

Once the respondent has been selected, only this person can be interviewed. Substitution may only occur after three unsuccessful attempts to contact the original

respondent. Substitution will take place in a prescribed way to limit bias as far as possible. Interviewers have been trained on the substitution procedures to be followed.

Conclusion

Opinion polls – carried out rigorously – can definitely make a significant contribution to the process of nation-building by providing insight into and knowledge of the perceptions, feelings, attitudes and values of the South African population and the mood in the country, by tracing various trends in opinions and perceptions and communicating the needs and aspirations of different segments of the society. Used in this context, public opinion research is a valuable and almost indispensable tool for operational and strategic planning for both government and businesses. However, it is also essential to remember – and understand – that research provides something like a photograph of society at a given time.

Technology is also making a profound change to the way in which opinion polling is done. Computers, software, electronic data and the power of the Internet are used more and more, and in 2010 Ipsos Markinor moved all its personal face-to-face interviewing to CAPI (computer-assisted personal interviews). This means that we are now able to measure ‘the pulse of the people’ and report on it much faster than in the past.

Notes

- 1 ‘Pulse of the People’ is the registered name of proprietary public opinion surveys undertaken by Ipsos Markinor. Although they carry out a large number of public opinion surveys every year, most of these are done for clients and are therefore confidential. However, the structure and approach used in their proprietary studies will be discussed in this chapter .
- 2 Refer to the findings of the World Values Study, 1980, 1990, 1995–1996, 2000–2001, 2005–2006.
- 3 Gallup International. 2006. *Voice of the People*. London: Gallup International Association. p.16. Ipsos Markinor. *Interviewer’s Sampling Manual*. 2007.
- 4 Qualitative research (group discussions, workshops, in-depth interviews and others) forms a very important part of the survey research done by Ipsos Markinor. An exploratory (qualitative) phase is often included in the surveys undertaken. However, for the purposes of this chapter the focus will be on methodologies associated with quantitative research, as this provides representative data that can be generalised to the population.
- 5 The community sizes are defined as follows:
Population
250 000 or more: Metropolitan
100 000 to 249 999: City
40 000 to 99 999: Large town
8 000 to 39 999: Small town

500 to 7 999: Village

Less than 500: Rural

- 6 A household consists of either one person living alone, or a group of people – usually, but not always, members of one family who live together for at least four nights a week and whose food and other household expenses are managed as one unit.

Every five years the South African electorate has the opportunity to hold the government accountable for its performance in office and to choose parties that reflect wider public opinion. Likewise, interest groups such as political parties have the opportunity to appeal to the electorate by campaigning on the most important issues that concern voters. Elections, therefore, are a mechanism to ensure public accountability and shape public policy.

South Africa has held four successful national and provincial democratic elections since 1994, with the governing ANC's electoral dominance increasing nationally from 62,6 per cent to 69,7 per cent in 2004 before dropping slightly to 65,95 per cent in the 2009 elections. In contrast, the opposition's share of the vote decreased and fragmented among a scattering of parties, from 37,4 per cent in 1994 to 30,3 per cent by 2004, then rose slightly to 34,1 per cent in 2009.

Although these elections were free, fair and competitive, whether the voting outcomes accurately reflected public opinion about key social and economic issues, and the government's handling of these issues, is less clear. Evidence suggests that short-term issues and influences were not key motivating factors for the South African electorate. In fact, an assessment of media coverage and political party campaigns prior to the 2009 national and provincial elections shows a disjuncture between those issues voters cared most about and those the media and political parties promoted. On the surface, this implies that short-term issues only marginally influenced voters. Instead, long-term factors, such as party identification and party images, tended to inform voters, with individuals often deciding whom to support long before the actual campaigns began. Moreover, the strong influence of party images on voter perceptions seemingly counteracted any potential volatility within the electorate.

Public opinion, the media and party campaigns on the eve of the 2009 elections

Short-term factors like media coverage and political party campaigning can influence voter attitudes and party support at an election. This section assesses whether these key factors were likely to have had an impression on voters, given the priorities identified by the public on the eve of the election.

The public agenda

The state of the public mind prior to the elections was firmly on matters of personal and fiscal security. In late 2008, when asked which important problems the government should address, South African voters listed the same set of issues that had concerned them in previous elections. The five most important problems were unemployment (59 per cent), followed by crime (32 per cent), poverty (24 per cent), the economy (22 per cent), and HIV/AIDS (20 per cent). Housing (20 per cent) and corruption (15 per cent) made sixth and seventh place respectively while basic essential services such as water and electricity, and education ranked lower.¹ Six months after the elections, voters again listed unemployment (44 per cent), poverty (11 per cent) and crime (7 per cent) as the three most challenging issues facing South Africa.² Therefore, public perceptions reflected the country's reality. High levels of unemployment, poverty, inequality, violent crime and HIV/AIDS infections have come to characterise the major challenges that face South African society in recent decades.

South Africans were also largely pessimistic about the state of the national economy in the months preceding the election. Only 25 per cent of those polled described the country's economic conditions positively, a decrease from 51 per cent in 2006.³ When asked after the election, roughly a third (36 per cent) of South Africans felt that the economic situation at the time of the 2009 election was poor, while a third (35 per cent) felt it was average. Only 26 per cent stated it was in good shape.⁴

Furthermore, South Africans were equally cynical about their personal economic conditions thanks to the global recession and the significant job losses it had caused.⁵ Only 33 per cent believed that their personal 'pocketbook' conditions had improved, down from 47 per cent in 2006.⁶ In addition, indicators of lived poverty, which measure the availability of water, food, electricity, medicine, a cash income and cooking fuel, show an increase in those who had experienced at least one shortage in the past year.⁷

In the months prior to the election, when asked to rate the performance of former President Thabo Mbeki's government, most respondents praised government's effort to distribute welfare (66 per cent) and empower women (64 per cent). Post elections, in late 2009, when asked about the performance of the national government in general, and how good or bad a job it had done over the past five years, 23 per cent felt it had done badly, 41 per cent stated government had done well, while 34 per cent were ambiguous, stating it had done neither well nor badly.

However, when one considers what issues concerned voters the most – such as unemployment, poverty and crime – the majority of citizens rated government poorly. In particular, most respondents thought government had done badly in terms of reducing crime (71 per cent), creating jobs (67 per cent) and managing the economy (56 per cent).⁸ These data correspond with earlier Afrobarometer⁹ 2008 data, which rated government's ability to contain prices, reduce inequality, crime and immigration, and create employment as poor.

In all, the majority of voters felt that government had failed to deliver on the basket of goods that they cared most about, particularly those that directly affected the material wellbeing of the poorest and most vulnerable citizens.

Overall, public opinion data suggest that in the months before and after the 2009 elections there was a clear increase in voter dissatisfaction and pessimism, thanks primarily to increased interest rates and unemployment, Eskom's electricity crisis, and political in-fighting and divisions within the ANC governing party. The data also show a clear dissatisfaction with how government handled issues voters considered important. In other words, the electorate had identified their lack of economic wellbeing as a priority area that was in material decline, but which government had perceivably failed to address adequately. These circumstances seemingly fomented voter volatility and the prospect of an unpredictable election result.

The media's focus

The media play an essential communication function in any democracy and particularly during an election period. Generally, the more political information people receive, the better their connection to candidate and party positions and promises. An independent and critical media can and must present high quality dialogue on party choices and policy issues, allowing voters to make choices that are more informed. When this happens, voters are better equipped to hold governing and opposition parties accountable.

An analysis of media content in the run up to the April 2009 elections highlights a critical disjuncture between voter priorities and those issues that dominated the media. First, media coverage was highly focused on political developments. In effect, the media's focus on personalities and party politics overshadowed substantive discussions about alternative policy platforms or key social problems such as poverty and unemployment;¹⁰ a fact Media Tenor illustrated when it determined that a mere 12,7 per cent of coverage focused on policy issues, a decline from 36 per cent in the 2004 election.¹¹

The media did debate the leadership qualities of various party leaders but few journalists bothered to link these qualities to their ability to deliver on proposed policy issues. Up to 80 per cent of all coverage (depending on the medium) focused on personalities, leadership qualities and, in the case of party coverage, political infighting. For instance, COPE leader Mosiuoa Lekota generated significant negative publicity thanks to numerous ANC sources, which did not necessarily reflect the opinions of journalists themselves.¹²

Furthermore, although it is critical to understand the face of a party, the media pointedly failed to assess the policy positions of the individual parties and politicians. Granted, election manifestos were only unveiled in January 2009 some four months before the election. However, blaming inadequate lead-time – in an industry that thrives on tight deadlines – is a lame excuse for sidelining issues in favour of sensational

personality journalism. Jane Duncan, noting the media's melodramatic focus and the dearth of true analytical coverage, aptly labelled this media style the 'who, what, when and where approach', as opposed to the 'why approach'.¹³ These observations also prompted two prominent South African media monitoring organisations to conclude that the media's coverage of the 2009 elections lacked depth and largely failed to cover issues of concern to voters.¹⁴

A second observation is that those policy issues the media did cover did not interest the wider electorate. In fact, the most popular topic in the media, according to the Media Monitoring Group, was voter logistics, accounting for 17,38 per cent of coverage, followed by party politics with 14,33 per cent.¹⁵ The justice system attracted only 8,82 per cent, party manifestos 6,31 per cent, and poverty and unemployment a mere 0,31 per cent and 0,73 per cent respectively.

And, as Duncan alarmingly notes, statistics show that the discrepancy between the public's interest and the issues covered in most media during elections has widened.¹⁶ The media's coverage of Jacob Zuma's corruption trial is a perfect example of this disjuncture. Recalling that corruption ranked a lowly seventh in Afrobarometer 2008's public opinion poll, this issue featured prominently in the media, overshadowing reporting of the 'most important problems'. Between 1 January and 21 April 2009, Zuma's legal battle dominated media coverage with almost 1 200 reports, while domestic security, crime and health/HIV received approximately 400, 350 and 300 reports respectively.¹⁷

Moreover, during the 2004 and 2009 election cycle, the media did not track how well political parties kept their electoral promises.¹⁸ Since tracking a party's delivery record is vital to developing a truly responsible democracy, this oversight has not helped voters evaluate political parties or hold them accountable.

Even when the major parties were covered, there was virtually no comment on their respective policy proposals. For example, in the months before the election, the media covered the ANC at length. However, coverage of its policy issues represented just over 10 per cent of the ANC's total coverage. As Media Tenor states, 'Everyone was talking about the ANC, but very little about their policies'.¹⁹

Use of media sources

One must also consider how and where voters receive their political information because this access determines their exposure to issues-based and policy coverage. In South Africa, access to different sources and amounts of political information varies dramatically. For instance, although most media focused on inter-party politics and the ongoing developments with ANC President Jacob Zuma's corruption trial, the financial media focused pertinently on policy issues.²⁰ However, significantly fewer South Africans access this media source compared to radio, which is the most popular medium for political information but offers comparatively less news. Television and newspaper articles rank second and a distant third respectively.²¹

An analysis of media usage during the 2009 elections confirms these traditional trends. The CNEP 2009 post-election survey, which tapped media use during the election period, found that 54 per cent of respondents never followed political news through newspapers, 15 per cent did so infrequently, and 31 per cent used newspapers on either a weekly or daily basis. In contrast, 39 per cent of respondents followed political news on the radio during the election campaign, 21 per cent did so infrequently while 40 per cent did not use this medium at all. Meanwhile, 54 per cent of respondents claimed they frequently used television to follow political news while 17 per cent and 28 per cent claimed that they infrequently and never used the medium respectively. Overall, television and radio were the media most frequently used by voters to get political information. Yet, as discussed above, these media did not focus their editorial content on policy-related issues.

Political party campaigns

Political parties essentially use election campaigns to influence potential voters. Ideally, parties use campaigns to inform the electorate about their specific policy proposals, how their proposals differ from other alternatives, and to highlight, depending on who you are, the strengths and failures of the incumbent party. Additionally, if employed successfully, party campaigns can effectively address the media's failure to debate policy content, as previously discussed.

When asked how closely they followed the 2009 political party campaigns, almost half the respondents (49 per cent) stated that they had not paid much attention, while 51 per cent stated that they had followed it closely.²² Moreover, most respondents had always intended voting for their chosen party (51 per cent) and 14 per cent stated that they had made their voting decision before the campaigns even started. Only 15 per cent made their decision during the campaigning season, mainly in the month before Election Day. Therefore, only half the electorate professed any interest in the party campaigns and even less – roughly a fifth – were likely to be influenced by the various campaigns.

Unfortunately, voters that did consider party campaigns would have struggled to identify activities and rhetoric that focused solely on policy-based issues. In a similar fashion to the media, in the wake of the dismissal of charges against Jacob Zuma, the major opposition parties (DA and COPE) turned their attention away from discussing their party's policies and focused almost exclusively on the need to stop Zuma and the incumbent ANC. Yet, the opposition's disproportional focus on Zuma, and corruption in general, did them few favours since the majority of the electorate was not overly smitten with the issue.

In addition, campaign slogans and posters displayed a paucity of content, reflecting a distinct lack of public opinion research or a communication strategy. Manifestos did outline broad policy directions but political parties often converged on key policy areas such as tougher crime fighting and increases in social grants.

Ending poverty and creating jobs was, unsurprisingly, another key issue shared by most party manifestos. However, in their analysis of the 2009 election manifestos, the Studies in Poverty and Inequality Institute warned that most parties had simplistic and incomprehensive anti-poverty strategies.²³ The report also noted fundamental shortcomings on two vital issues – how to reduce inequality and how to stimulate local demand – both of which are critical to the eradication of poverty.²⁴ As the report states:

For a country that has so many millions of people living in poverty, the above analysis suggests a rather limited selection for poor voters who wish to vote in a party that will directly and concretely address their poverty and their aspirations. In the absence of a theoretically sound analysis of the causes and drivers of poverty and a mapping of the various competing interests, nationally, regionally and globally, the chances of any ruling party being able to design policies that successfully address people's needs, let alone end poverty, are slight.²⁵

In effect, opposition parties inadvertently assisted the ANC's re-election campaign by not addressing important social issues. Neither the DA nor COPE, as the two largest opposition parties, proposed a clear pro-poor economic agenda, opting instead for an aggressive stance on cronyism and corruption within the ANC and the public sector, as well as the failures of black economic empowerment. This allowed the ANC to adopt a relatively neutral position on economic issues and to fall back on its historical credibility as the party most likely to address pro-poor issues. In fact, COPE recycled many of the ANC's past policy proposals simply tweaking their proposed implementation strategy. Only its stance on affirmative action and black economic empowerment distinguished COPE from the ANC, effectively forcing the media to question how the party planned to manage these politically sensitive issues. And despite the merits of the debate, it gave voters the impression that COPE was primarily concerned with the economic interests of the middle class, while the ANC, despite its current leadership problems, remained the party most likely to address issues of poverty and joblessness.

Still, one must question whether the media or party campaigns really do shape party support prior to an election. South African public opinion data, generated before and after the elections, suggest that both had a limited impact due, in part, to the disjuncture between those issues that voters wanted to hear about and those that the media and political parties promoted. Jacob Zuma's negative 'personality-based' coverage may have pushed a small yet significant percentage of voter support away from the ANC, but not necessarily into the arms of the opposition. However, for voters who were already inclined towards opposition parties, the negative coverage had an energising effect, as the increase in relative turnout among opposition supporters suggests. Indeed, the resurgence of the opposition became a deciding factor for the ANC's vote share, denying the incumbents a two-thirds majority.²⁶

However, the media and party campaigns probably had little impact on the majority of voters whose partisan proclivities were shaped by two specific long-term influences – party identification and party images.

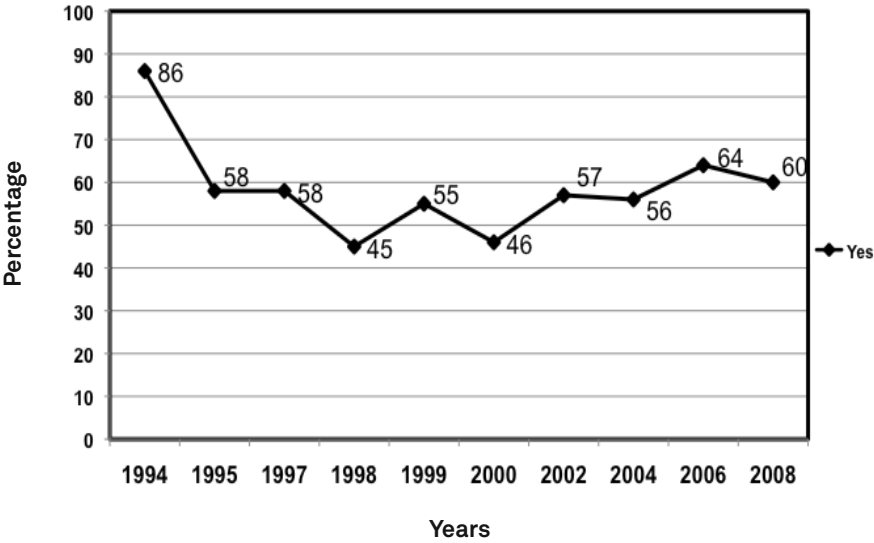
Party identification²⁷

Party identification is an ‘enduring psychological attachment’ to a political party that guides electoral behaviour.²⁸ It is also a changeable orientation. People move to and from their respective political parties in response to their evaluations of political and economic conditions and to their evolving evaluations of a party and/or candidate’s performance.²⁹ Party identification also acts as a standing choice or default decision for voters, and is a substitute for more complete information about parties and candidates.³⁰ Voters with a party identification are more likely to vote and very likely to vote for their preferred party. However, voters without a party identification are far harder to mobilise and are more open to persuasion and shifting their Election Day vote. Therefore, while party identification provides a good predictor of vote choice, it remains analytically distinct from the vote as such.³¹

Using surveys that measure party identification, this section looks at overall trends and patterns in South African partisanship over time. In particular, it explores the level and direction of party identification among the entire electorate as well as party support for the ANC.³²

Findings reveal that the level of partisanship in South Africa between 1994 and 2008 fluctuated considerably, far more than is often acknowledged. Interestingly, partisanship decreased for all political parties until 2002 and has risen steadily since. As Figure 7.1 shows, after initially high levels of partisanship during the historic 1994 ‘liberation’ election, the proportion of partisans in the electorate declined significantly and then fluctuated between 64 per cent and 45 per cent over the following 12 years. By 2008, 40 per cent of the electorate were not overtly loyal to any particular political party, and did not use long-standing partisan ties to decide which party to support during the elections.

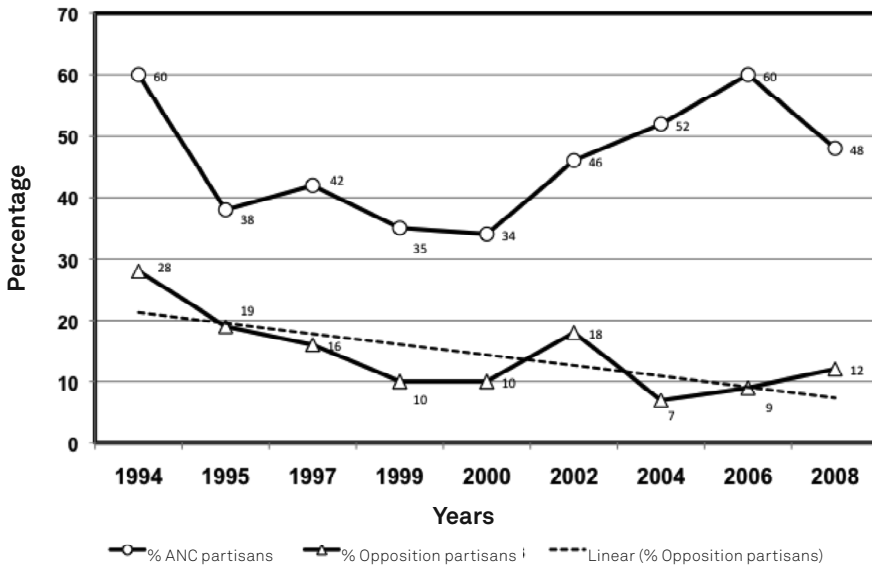
Figure 7.1 Levels of party identification across voting age population (VAP)



Furthermore, one can divide declared partisans into those who support the ANC and those who support opposition parties, as Figure 7.2 shows. However, although the majority of declared partisans are ANC supporters, the graph also suggests several other striking observations. First, on average, less than half of the overall electorate are ANC partisans. In 1994, ANC partisans constituted some 60 per cent of the total electorate, but this figure has since fluctuated between 34 per cent and 60 per cent. By the end of 2008, only 48 per cent of respondents declared themselves ANC party identifiers.

Second, partisanship across all racial groups has also decreased. The ANC, therefore, attracts less support from the African population over time even though, unsurprisingly, levels of partisanship are higher among Africans than any other racial group. Yet, on average 44 per cent of Africans are independents. Apparently, contrary to conventional wisdom, African voters are not an unquestionably loyal electorate. The significant increase in independents among this group also suggests that core ANC support is smaller than initially supposed and that many African voters support the party at election time, not because they are loyal partisans but because they do not regard opposition parties as feasible alternatives. Moreover, given South Africa’s demographic composition, continuing increases in non-partisans among the African electorate hold the key to future electoral realignments.

Figure 7.2 Direction of party identification (ANC and opposition)



Third, there has been a dramatic increase in the number of partisans the ANC and the opposition parties have ‘leaked’ to the independent category. However, independents appear to come disproportionately from the opposition parties rather than the ANC. As a result, the ANC has retained a larger share of the partisan ‘market’. Given that opposition parties have proliferated and fragmented since 1994, and that they share a decreasing aggregate share of partisans, they must work harder to convince voters to support them in each subsequent election. Since they often fail, where voters do return to partisanship ways they usually favour the ANC and not opposition parties.

To date, aggregate electoral data suggest that a significant proportion of people have withdrawn their support from all political parties. There is also evidence across the years of significant proportions of floating voters within the overall electorate who are not overtly loyal to political parties or guided at elections by strong partisan ties. Between 1995 and 2008, non-partisans made up a substantial proportion of the eligible electorate, fluctuating between 36 and 55 per cent. Moreover, the data suggest that it is not an ‘ossified floating vote made up largely of minorities’.³³ Instead, these voters come from across all racial groups. This raises questions about predictions that the ANC’s support base is driven by ascriptive identity politics and that the potential swing effects of the floating vote in South Africa are undermined by the ‘solidarity vote’ for the ANC.³⁴ In fact, the high number of independents should free up more voters to move their support at elections and take short-term issues and events into account when they choose among political parties.

However, South African voters do not make up their minds anew at each election; partisanship essentially guides electoral outcomes because it acts as a useful summary

cue for voters who lack unbiased and complete information about alternative parties. Moreover, although partisanship can change, voters rarely sway from their chosen parties. A statistical analysis of public opinion survey data during the first twelve years of democracy shows that multiple factors drive party identification as new information about political and economic developments combines with voters' assessments of government performance, party images, sociological cues and cognitive skills. However, while multiple factors drive partisanship, the relationship between race and party images dominates voter choice and remains a key motivation for voter behaviour in South Africa.

Party images 1994–2008

Party images include the mental pictures, or psychological images, that voters have of political parties.³⁵ Specifically, a party's image reflects its intrinsic values or attributes; and when information is limited and outcomes are uncertain, party attributes can act as important information short-cuts or heuristic political cues for voters.³⁶ These images take on either positive or negative connotations as voters use them to judge, among other things, whether parties are exclusive or inclusive. The electorate can, in a fairly short time, come to associate certain qualities with specific parties, and these then have a substantial influence on its voting choices.³⁷

For example, findings show that South African voters who were dissatisfied with the ANC's performance did not necessarily vote for another party.³⁸ Further analysis also shows that before these voters even assessed another party's policies, promises, campaigns and candidates, they needed to be convinced of the party's overall image especially its inclusivity – whether it represents the interests of all South Africans and not those of one racial group exclusively.

Polling indicates that political partisans loyal to the biggest political parties considered their preferred parties to be inclusive.³⁹ Yet, while almost all voters think that their preferred party is inclusive of all South Africans, 'other' parties are not regarded as inclusive. More importantly, for most people, these notions of inclusion and exclusion are primarily race-based. These racial stereotypes about parties persist and are powerful and pervasive influences on partisanship.

For instance, inclusive evaluations attracted voters to a particular party while, contrary to racial census theorists,⁴⁰ exclusive party images overwhelmingly repelled voters.⁴¹ In fact, in South Africa, there is little evidence to suggest that voters are attracted to parties that are racially exclusive. For example, survey data shows that parties like the Freedom Front Plus (FF+), which explicitly push a racially exclusive image, are likely to remain small with a specific group of followers. Survey items asked respondents to assess the extent to which the major political parties represent the interests of all South Africans or only one specific group. Figure 7.3 shows perceptions of inclusiveness and exclusiveness by political party for 1994. Figures 7.4, 7.5 and 7.6 show the same data for 1999, 2004 and 2009 respectively. They illustrate that the

bigger parties are regarded as inclusive of all South Africans while small parties like the FF+ and the PAC are regarded as exclusive to one group only.

Figure 7.3 Perceptions of party inclusivity and exclusivity 1994

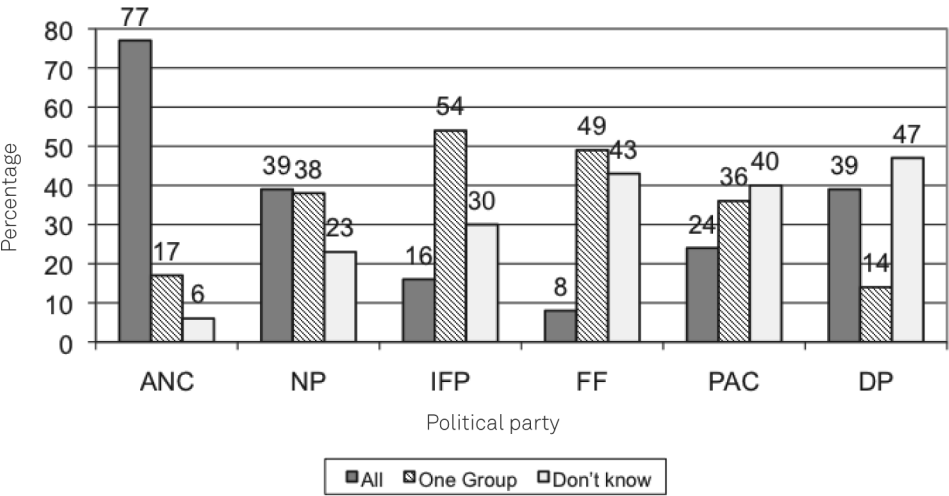


Figure 7.4 Perceptions of party inclusivity and exclusivity 1999

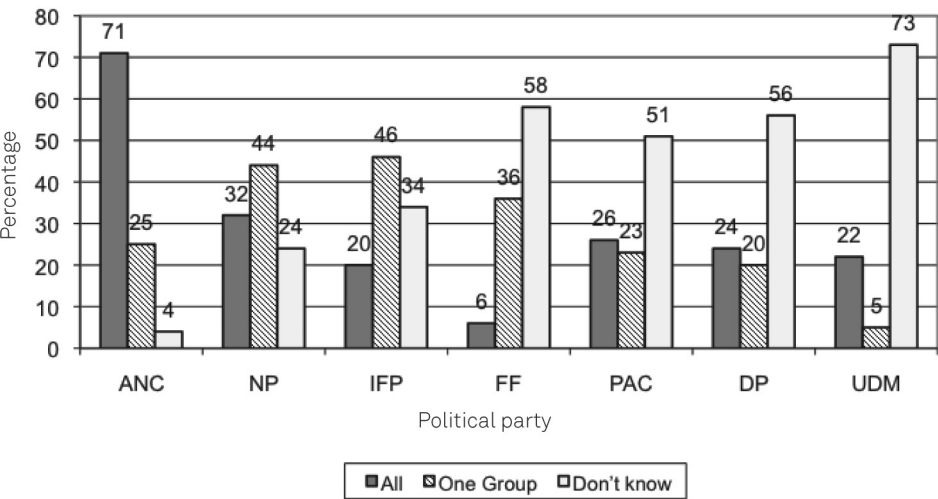


Figure 7.5 Perceptions of party inclusivity and exclusivity 2004

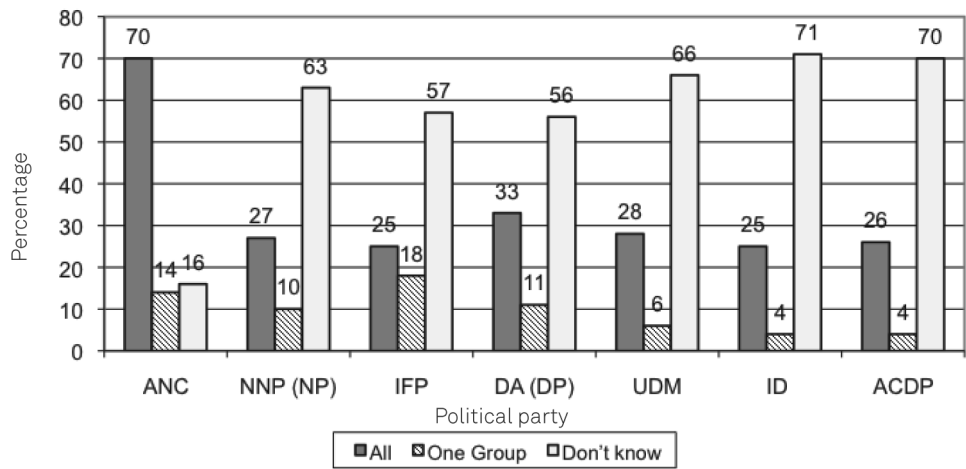
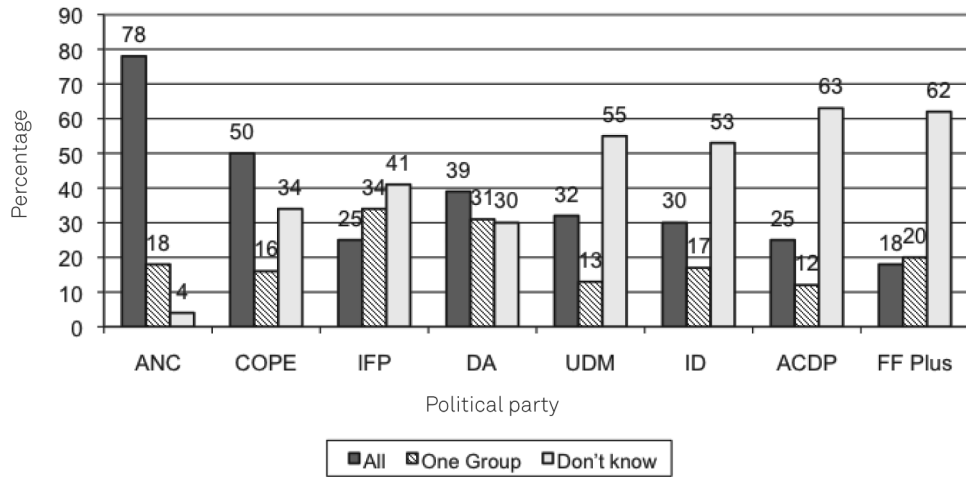


Figure 7.6 Perceptions of party inclusivity and exclusivity 2009



The data definitely show that a strong theory of racial voting does not hold in South Africa – African voters do not vote for an African party because they see it as exclusive to Africans. This suggests that South Africans generally subscribe to the ideal of the rainbow nation: inclusive politics is worthy, while exclusive politics is detrimental. However, what about a weaker version of racial voting where voters do not vote for some parties because they perceive them as exclusive of their *personal* interests or identity?

The evidence suggests that voters who emphatically reject some parties – because the party’s image excludes the voter’s own personal interests or racial identity – use their negative sentiments to decide whether they embrace another party or not. This is because voters, irrespective of their level of education and interest in politics, use party images to help them determine whom and for what a party stands.⁴² As a result, voters use these race-based cues to match a party’s group interests to their personal ones.

However, and most importantly, these perceptions about party images limit the choice of parties for both partisans and independents – if voters become dissatisfied with their parties, they feel that they cannot move their support elsewhere. Unfortunately, racial party images still influence partisanship largely because political parties, despite several noteworthy attempts, have not been able to transform their images.⁴³ Indeed, the only way South African political parties can successfully change their images is to first change the racial attributes that inform voter perceptions. For example, the DA should consider appointing qualified non-White senior members to the party’s leadership. Second, parties must also try to base their campaign and communication strategies on actual public opinion and not on historically politicised racial conflicts.⁴⁴

Furthermore, overall trends between 1994 and 2004 suggest that voter⁴⁵ perceptions of political parties became increasingly ambiguous, with more voters uncertain about the inclusiveness of many political parties. And uncertainty about a party’s image seemingly repels voter support in much the same way as negative party images do – if a voter is unsure about a party’s inclusiveness, she or he tends not to support it. Therefore, uncertainty is not beneficial for opposition parties.⁴⁶

Ambiguities about party images also have important implications for inter-party movement. For instance, one might expect increased ambiguity to encourage greater cross-voting, effectively offsetting the polarised pattern of South Africa’s election results. However, despite viewing opposition parties as largely inclusive and disapproving of the ANC’s performance, very few voters supported the opposition.

In addition, levels of uncertainty among ‘floating’ or independent voters – those most likely to consider an alternative party – have risen, with the highest levels recorded in 2004.⁴⁷ The implications are stark: if uncertainty repels voters, then independents are also being repelled from ‘other’ parties. This suggests that perceptions of inclusiveness or exclusiveness are not necessarily a result of partisan predispositions. Independents also have a clear view of party images and these may affect whether they actually vote or, where they do vote, are able to vote for a particular party in an election.

Party images and the 2009 South African elections

Party images in the 2009 national and provincial elections were, as in previous elections, an essential summary statement of how the voter felt about available political alternatives. Voter perceptions about party attributes still determined partisan support. However, there is evidence of subtle but seismic shifts in the way voters view the

major political parties. Whereas voter perceptions of political parties had become increasingly ambiguous over time, with more voters uncertain about the inclusiveness of many parties, the 2009 election data show clear declines in levels of ambiguity (see Figures 7.3, 7.4, 7.5 and 7.6). The proportion of respondents who were unsure about whether a particular political party was inclusive of all South Africans, or one group only, declined for the ANC, DA, IFP, UDM, ID and ACDP. The only party that increased was the FF+. In other words, the 2009 election campaigns appear to have clarified the nature of inclusivity or exclusivity of most political parties for many more voters.

Accompanying the decreased ambiguity about party images was an increase in the proportion of voters who believe that most of the major parties were increasingly racially exclusive in terms of their representation. The only exception is the small opposition party, the ACDP, who represents Christians in general rather than a specific racial group. Additionally, the number of voters who perceived parties to be inclusive, representing all South Africans, marginally increased – although not as much as those who believed parties to have racially exclusive representation. In 2009, all opposition parties saw greater increases in their status as exclusive parties rather than as inclusive parties. Only the governing ANC enjoyed a larger increase as an inclusive versus an exclusive party image.

These findings reveal several noteworthy points. First, it appears that the 2009 campaigns produced significant shifts in the overall images of parties, a likely result of the strong focus on personalities and traits of individual leaders. Voters were much clearer about whom political parties represented. Second, when thinking about whom political parties stand for, South African voters still learn much about politics from racial cues, suggesting that most opposition parties have failed to overcome restrictive perceptions of their party images. Third, while many more voters have begun to think of parties as inclusive of all South Africans, higher proportions think of parties as exclusively representative of racial interests. This latter finding suggests an increase in polarisation within the party system previously unseen in public opinion survey data. Therefore, while there was little visible effect in voter behaviour, the 2009 elections may present a turning point for opposition parties as their campaigns helped to clarify the nature of their party images for many more voters.

Conclusion

A number of factors, such as media content, party campaigns, party identification and voter perceptions of parties, converge at elections and shape voter attitudes and behaviour. They also help to explain the static nature of the election results. Negative party images dominate voter perceptions and are a major obstacle to inter-party movement, even when voters distance themselves from their previous political home. This has a stagnating effect on voting outcomes, resulting in the withdrawal of voter

support from the governing ANC, as witnessed in 2009, but very little movement to other parties. To an extent, therefore, opposition parties with their negative party images cushion or counteract negative public opinion of the ANC.

The dearth of quality political information in the media and party campaigns compound the use of party images. Without information on how, or indeed whether, political parties pursue specific policy agendas, voters are forced to rely on the use of party image to inform their voting decisions and hold current representatives accountable.

This reliance on party images has serious implications for opposition party politics. For instance, to contest future elections seriously, these parties need to be more attentive and responsive to subtle shifts in political identities. Parties wanting to build multi-ethnic and racial coalitions will need to address the way voters perceive them in terms of racial exclusivity. Undoubtedly, more representative candidate selection remains a crucial tool for South African parties wanting to build a pluralistic and multi-racial support base.

Although the DA increased its national vote share by 4 per cent in the 2009 election, it still failed to tap into non-traditional constituencies, especially poor African voters. Much of its new support came from within the Western Cape. The party failed to increase its provincial vote shares in other provinces by more than 3 per cent. To be perceived as truly inclusive by the majority of South Africans, the party will need to further transform the racial representivity of its visible political leadership.

On the other hand, COPE, the third largest party in parliament with 7,4 per cent support nationally, arrived on the political scene with a more socially representative support base. Before the elections, a Research '94 survey poll found that its support came from all demographic groups in the country, cutting across more social divides than any other party. And following the elections, the Comparative National Elections Project (CNEP) survey confirmed that voter perceptions of the newcomer were largely representative with 50 per cent of respondents stating that the party was inclusive of all South Africans (see Figure 7.6). Only 16 per cent thought it represented one group only and 34 per cent were unsure. The data appear to confirm that South African voters prefer inclusive parties. Over 7 per cent of all voters gave their support to a new party that is, by all appearances, perceived by the majority as unrepresentative of any particular group. This bodes well for the future success of the party, notwithstanding other challenges, as future growth should not be constrained by overly negative party imagery.

Finally, research findings show that voters do think retrospectively about government performance.⁴⁸ Government performance evaluations play a smaller but increasingly more important role in party support. Although less influential than party images, they are potentially seismic shifts in what motivates voters, and they appear to be gaining ground. Data also show that voters are willing to withdraw their support from the incumbents. However, the data also show that voters are unlikely to move

their support elsewhere. And the reasons for the lack of interparty movement pivot around party images. To a degree, the ANC has been, and remains, insulated from poor performance and perceived failures in service delivery. Thus, public opinion on major issues and concerns of the day are unlikely to shape voting outcomes in the traditional sense, by pushing voters to new political homes.

However, issue-based politics in South Africa will not remain marginal. Unless service delivery visibly improves, negative retrospective economic evaluations among the poor are likely to increase. And the ANC will be hard-pressed to avoid the electoral punishment from the resulting disaffection.

Notes

- 1 South African Afrobarometer Public Opinion Survey 2008. See <www.afrobarometer.org>.
- 2 South African Comparative National Elections Project (CNEP) 2009 post-election survey. Funded by the Institute for Security Studies (ISS): The Centre for Social Science Research at the University of Cape Town, the Open Society Foundation in South Africa (OSF-SA).
- 3 South African Afrobarometer 2008 and Afrobarometer 2006 surveys.
- 4 South African CNEP 2009 survey.
- 5 Hamlyn, M. 2009. Government response 'helped tame job losses'. *Business Day*, 29 September. <<http://www.businessday.co.za/Articles/Content.aspx?id=82561>> [Accessed 20 November 2009].
- 6 South African Afrobarometer 2008 and 2006 surveys.
- 7 South African Afrobarometer 2008 survey.
- 8 South African CNEP 2009 survey.
- 9 The Afrobarometer public opinion survey series is a regular, independent, nonpartisan research project that measures the social, political, and economic atmosphere in twenty African countries. See www.afrobarometer.org.
- 10 Data analysis provided by Media Tenor to the author.
- 11 Duncan, J. 2009. 'Desperately Seeking Depth: The Media and the 2009 Elections', in Southall, R. and Daniel, J. (eds) *Zunami. The 2009 South African Elections*. Johannesburg: Jacana: 219.
- 12 Ibid.
- 13 Ibid.
- 14 Duncan, J. 2009. 'Desperately Seeking Depth: The Media and the 2009 Elections', in Southall, R. and Daniel, J. (eds) *Zunami. The 2009 South African Elections*. Johannesburg: Jacana: 218.
- 15 Duncan, J. 2009. 'Desperately Seeking Depth: The Media and the 2009 Elections', in Southall, R. and Daniel, J. (eds) *Zunami. The 2009 South African Elections*. Johannesburg: Jacana: 218–219; Media Monitoring Group data analysis made available to author.
- 16 Duncan, J. 2009. 'Desperately Seeking Depth: The Media and the 2009 Elections', in Southall, R. and Daniel, J. (eds) *Zunami. The 2009 South African Elections*. Johannesburg: Jacana: 217, 219.
- 17 Analysis provided by Media Tenor to the author.
- 18 Duncan, J. 2009. 'Desperately Seeking Depth: The Media and the 2009 Elections', in Southall, R.

- and Daniel, J. (eds) *Zunami. The 2009 South African Elections*. Johannesburg: Jacana: 217; Analysis provided by Media Tenor to the author.
- 19 Analysis provided by Media Tenor to the author.
- 20 Ibid.
- 21 The data findings presented in this section are sourced from a doctoral thesis submitted in 2008 to the University of Cape Town by Collette Schulz Herzenberg, entitled 'Towards a Silent Revolution? South African voters during the first years of democracy, 1994–2006': 227.
- 22 South African CNEP 2009 survey.
- 23 'SPII Talk – Election Special 2009' published by the Studies in Poverty and Inequality Institute, 2009. Also see Musgrave, A. 2009. 'Parties target unemployed and poor for votes' in *Business Day*, 31 March: 5.
- 24 SPII Talk – Election Special 2009, 4.
- 25 SPII Talk – Election Special 2009, 9.
- 26 Schulz Herzenberg, C. 2009. 'Trends in Party Support and Voter Behaviour, 1994–2009.' in Southall, R. and Daniel, J. (eds) *Zunami. The 2009 South African Elections*. Johannesburg: Jacana: 28.
- 27 The data findings presented in this section are sourced from a doctoral thesis submitted in 2008 to the University of Cape Town by Collette Schulz Herzenberg, entitled 'Towards a Silent Revolution? South African Voters during the First Years of Democracy, 1994–2006', Chapter 5. The thesis consists of a longitudinal analysis of change in the level and direction of partisanship among the entire electorate, the social groups within the ANC's partisan coalition, and the motivations of individual voters by comparing different electorates over 12 years using a series of cross-sectional surveys. It explores the relative influence of competing theoretical models on partisanship, such as demographic and sociological factors, evaluations of government performance, party images, social networks and the voter's cognitive skills, as well as the relative mix and intersection of these models on partisanship. Findings are based on a range of statistical analyses such as cross-tabulations of structural and demographic variables, bivariate analyses and multivariate data analyses (logistic regression). The study draws evidence from the following national public opinion surveys listed below:
1. Idasa National Post Election Survey (1994)
 2. Idasa Local Government Elections Study (1995)
 3. Idasa Political Culture Study (1997)
 4. Opinion '99 (1999)
 5. Afrobarometer Round 1 (2000)
 6. Afrobarometer Round 2 (2002)
 7. Afrobarometer Round 2.5 (2004)
 8. Afrobarometer Round 3 (2006)
 9. Comparative National Elections Project [CNEP] (2004).
- 28 Campbell, A., Converse, PE., Miller, WE. and Stokes, DE. 1960. *The American Voter*. New York: John Wiley: 24–37.

- 29 Fiorina, M. 1981. *Retrospective Voting in American Presidential Elections*. New Haven: Yale University Press: 84–130; Popkin, S. 1991. *The Reasoning Voter*. Chicago: University of Chicago Press: 54–5.
- 30 Key, V.O. 1967. *The Responsible Electorate*. Cambridge, Mass.: Belknap Press.
- 31 Green, D., Palmquist, B. and Schickler, E. 2002. *Partisan Hearts and Minds: Political Parties and the Social Identities of Voters*. New Haven: Yale University Press: 4, 19, 164–202.
- 32 Question items: 'Do you think of yourself as close to any particular political party? Yes, No, Don't know'; 'If yes, which party is that?'
- 33 Schlemmer, L. 2002. 'State of parties and health of democracy'. *Focus*, 26: 2–5. <www.hsf.org.za>
- 34 Johnson, RW. 1996. 'The 1994 election: outcome and analysis' in Johnson, RW. and Schlemmer, L. (eds) *Launching Democracy in South Africa: The First Open Election*. New Haven: Yale University Press: 319. Horowitz, DL. 1991. *A Democratic South Africa? Constitutional Engineering in a Divided Society*. Oxford: University of California Press: 45; Schlemmer, L. 1999. 'Democracy or Democratic Hegemony? The Future of Political Pluralism in South Africa' in Giliomee, H. and Simkins, C. (eds) *The Awkward Embrace: One-party Domination and Democracy*. Cape Town: Tafelberg Publishers: 282, 341.
- 35 Trilling, R. 1976. *Party Image and Electoral Behaviour*. New York: John Wiley: 2.
- 36 Dalton, R. 1988. *Citizen Politics in Western Democracies: Public Opinion and Political Parties in the United States, Great Britain, Germany and France*. New Jersey: Chatham House Publishers: 28; Downs, A. 1957. *An Economic Theory of Democracy*. New Jersey: Prentice Hall.
- Popkin, SL. 1991. *The Reasoning Voter: Communication and Persuasion in Presidential Elections*. Chicago: University of Chicago Press.
- 37 Butler, D. and Stokes, D. 1969. *Political Change in Britain*. London: Macmillan: 359.
- 38 The data findings presented in this chapter are sourced from a doctoral thesis submitted in 2008 to the University of Cape Town by Collette Schulz Herzenberg, entitled 'Towards a Silent Revolution? South African Voters during the First Years of Democracy, 1994–2006', Chapter 8. This section on Party Images was also published in Schulz Herzenberg, C. 2009. 'Trends in Party Support and Voter Behaviour, 1994–2009.' in Southall, R. and Daniel, J. (eds) *Zunami. The 2009 South African Elections*. Johannesburg: Jacana: 23–46.
- 39 Survey items ask respondents to assess the extent to which the major political parties represent the interests of all South Africans or only one specific group. *Does X political party look after interests of all in South Africa or after the interests of one group only? Which group?*
- 40 Racial census theorists argue that voting is motivated by sociological factors and is an expression of a group identity. Elections become an 'ethnic' or 'racial' census because of the broad correlation between race or ethnicity and party support. This is most clearly seen in Donald Horowitz's discussion of ethnicity, party systems and voting behaviour. Horowitz, DL. 1991. *A Democratic South Africa? Constitutional Engineering in a Divided Society*. Oxford: University of California Press.
- 41 Here, all respondents – partisans and self-declared independents – are assessed.

- 42 Education was tested and found to be insignificant. See Schulz Herzenberg, C. 'Towards a Silent Revolution? South African voters during the first years of democracy, 1994–2006', 242.
- 43 Some opposition parties have attempted to transform their images, most obviously the National Party, which tried to reinvent itself as the New National Party, and the Democratic Alliance, which attempted to garner the black African vote in the 2004 and 2009 elections. The ANC also presents itself as a national, non-racial party in some areas.
- 44 Davis illustrates how political parties borrow from historically politicised racial conflicts to maintain electoral support. See Davis, G. 2004. 'Proportional representation and racial campaigning in South Africa', in *Nationalism and Ethnic Politics*, 10:319.
- 45 Here the analysis assessed all potential voters, that is, individuals who are 18 years or older irrespective of whether they identified themselves as partisans or independents.
- 46 Ferree, KE. 2006. 'Explaining South Africa's racial census'. in *Journal of Politics*, 68(4): 812.
- 47 The data for independents can be found in a doctoral thesis submitted in 2008 to the University of Cape Town by Collette Schulz Herzenberg, entitled 'Towards a Silent Revolution? South African voters during the first years of democracy, 1994–2006', Chapter 8.
- 48 The data findings presented in this section are sourced from a doctoral thesis submitted in 2008 to the University of Cape Town by Collette Schulz Herzenberg, entitled 'Towards a Silent Revolution? South African voters during the first years of democracy, 1994–2006', Chapters 7 and 10.

8

Chapter

The possibilities of election campaigns as sites for political advocacy: South Africa in comparative perspective

Wadim Schreiner and Robert Mattes

How useful are election campaigns as a site for South African interest groups to advocate policy change, either on their own or through allied political parties? More broadly, we might ask how useful campaigns are as sites for political parties to attract new voters by taking positions on publicly salient issues of public policy. At first glance, the answer to both these questions might seem obvious. Our popular image of election campaigns sees them either very broadly as watershed national conversations about where the country has been and where it ought to go, or more narrowly as periodic national debates in which political parties, candidates, interest groups and news media try to persuade voters about ‘who did what’ in the past five years and ‘with what consequences’, and ‘who might do what’ in the next five years.

But this popular image rests on several assumptions about both political elites and ordinary voters. At face value, it assumes that voters come into each campaign with a completely open mind ready to hear contending partisan arguments and decide accordingly. It also assumes that all voters are able to follow and are interested in following this national conversation through the news media, and that they in fact do so. However, a great deal of research by comparative political scientists has demonstrated that voters do not make up their minds *tabula rasa* at each election. Furthermore, we know that political parties and candidates tend to focus primarily on mobilising those voters who already agree with them, and only secondarily on persuading smaller groups of undecided, potential ‘swing’ voters to change their vote from the last election.

Yet we have relatively little research on how well South Africa’s election campaigns function, even in this more limited sense.¹ The popular image might seem to be verified if one were only to look at the emphasis given to the most recent national election in 2009 by the South African print news media, which in the six months leading up to the vote devoted 75 per cent of non-financial news coverage to that election. But this begs the question of whether ordinary voters had access to, were interested in, or actually used this press content. It also brings into question the quality of this election coverage.

This chapter therefore attempts to bring together a range of empirical data to lay some basic groundwork for the analysis of election campaigns in South Africa and focuses on the following questions. First, how many South Africans have access to the means to follow or join in the potential national conversation known as an

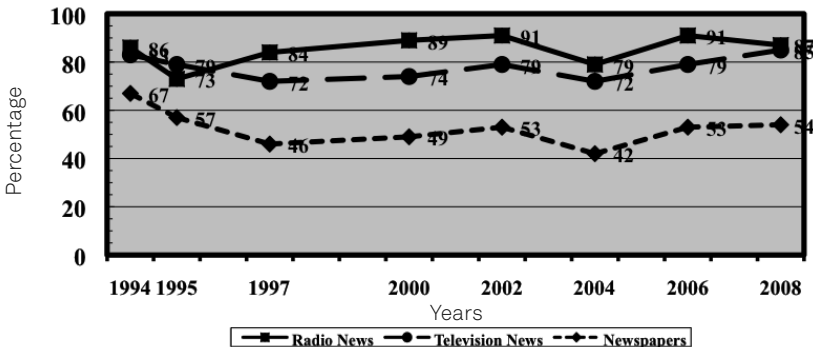
election campaign? Second, how many South Africans are sufficiently interested in and attentive to the debates that occur during the campaign? Third, how well do news media communicate these debates to ordinary voters? Finally, how well do South Africa’s political parties communicate directly with the voters through face-to-face contacts or media advertising? In order to learn as much as we can about the possibilities and limits of election campaigns as sites for interest group advocacy in South Africa, it is necessary to place the country in a broader comparative perspective. The US provides the obvious point of comparison because it possibly has the most media-intensive electoral process in the world.

News media access and use

To return to the example set out above, while print news media devoted 75 per cent of coverage to the 2009 election during the six months leading up to the vote, how many people actually had access to newspapers and other news media in South Africa, or were sufficiently literate to make use of a newspaper? Newspapers and television reception may simply not be available to many people in a country with as large a rural population as South Africa. Alternatively, purchasing a newspaper on a regular basis, or owning a television set, might be beyond the means of people who live in poverty (although at least one national group, Caxton, distributes local community newspapers in small towns free of charge). In addition, one out of ten South Africans (12 per cent) are not literate.²

While there appears to be no authoritative data on how many South Africans cannot afford a newspaper or live in areas where newspapers are not available, data from the 2008 Afrobarometer show that 80 per cent of all South Africans say they read a newspaper at least once in the previous year, although only 54 per cent did so regularly (defined as daily, or a few times a week)³ (see Figure 8.1). Yet these national figures mask larger variations between the city and countryside. Fully 30 per cent of people who live in rural areas never read a paper (compared to only 10 per cent in urban areas), and just 34 per cent read one regularly (as opposed to 66 per cent in towns and cities).

Figure 8.1 News media use (per cent daily / few days per week)

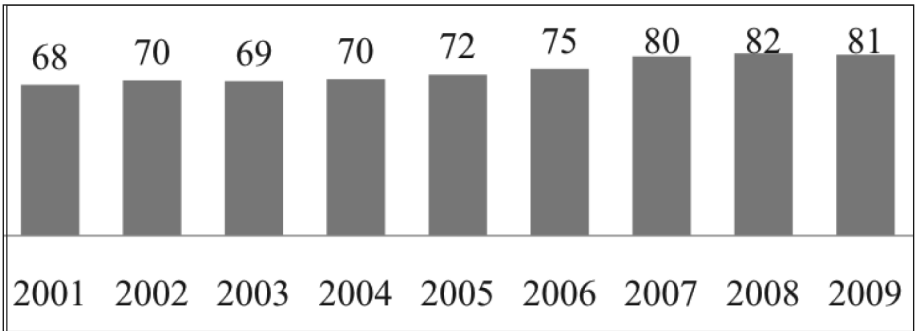


While newspaper readership is low compared to other types of media, the structure of the South African print media industry does offer policy advocates the potential to run a cost-effective political campaign among those readers. Through just three daily newspapers, political parties and interest groups could have access to about one-fifth to one-quarter of the total reading public: the tabloid *Daily Sun* (4,7 million readers or 14 per cent of all readers); *Sowetan* (with 1,5 million readers or a 5 per cent market share); and the Nguni language newspaper *Isolezwe* (with 771 000 readers or a share of 2 per cent).⁴ Among the weekly newspapers, three titles dominate: *Sunday Times* (4,2 million, 13 per cent), *Sunday Sun* (2,6 million, 8 per cent) and *City Press* (2,15 million, 6 per cent).

Physical access to television is much broader than for newspapers. As of 2008/2009, 18 to 19 per cent of all households still did not have a television set though as can be seen in Figure 8.2 this has declined sharply from 32 per cent in 2001.⁵ But as with newspapers, people without a television can still watch the news in places other than their own homes. As of 2008, Afrobarometer found that 87 per cent watched television news on a regular (daily or weekly) basis, a figure which has also risen from a low of 72 per cent in 2004) (see Figure 8.1).

Television viewership is even more concentrated than newspaper use. Just three public channels (SABC1, 2 and 3) and one private television (e.tv) channel control the entire broadcast environment, and are watched by between 80 to 86 per cent of all television owners.⁶ Narrowcast news via satellite television is far more restricted, reaching only 15 per cent of the population (news programming by local satellite television was only legalised in 1995 and is still regulated by the state Independent Communications Authority (ICASA)).

Figure 8.2 Percentage of South African households with television sets



Physical access to radio is the most widespread. As of 2008, only one-in-ten (13 per cent) households did not own a radio. That year, 85 per cent of respondents told Afrobarometer interviewers that they listened to radio news on a frequent basis. Furthermore, there is an even higher concentration of listenership amongst radio news providers than for print news. Through just three stations, political parties and interest

groups can reach 47 per cent of all radio listeners: Ukhozi FM (6 million listeners, 19 per cent share), Metro FM (5,2 million, 16 per cent) and Umhlobo Wenene (4,3 million, 14 per cent). While a far larger number of stations operate at the community level, they are used collectively by just 24 per cent of all listeners nationally.⁷ In comparison, online media are still, by far, a junior partner in the South African news media picture. According to industry sources, there are 11,6 million unique users in South Africa.⁸ Surveys, however, tend to report lower levels ranging from 17 per cent⁹ to 14 per cent.¹⁰ Mobile users of Internet news currently stand at 3,1 million users.¹¹

Not only do television and radio reach far larger shares of people than print, they also reach very different types of audience. For radio and television (especially SABC1 and SABC2), the majority of viewers and listeners are at the lower end of the economic spectrum, what the South African market research industry refers to as Living Standards Measures 1 through 5, which is basically one-half of the adult population. Newspapers, in contrast, reach people who are at the higher end of the spectrum (LSMs 5 through 10). Therefore, if a main dimension of election debate is or ought to be about the provision of services to the underprivileged, electronic media (television and radio) not only dominate the audience, but they also get at the right audience. In contrast, print media reach a much smaller audience, and speaks to those who already have much of what they need. This is a key message for opposition parties which tend to concentrate their campaign advertising in newspapers.

The consequences of these initial observations about media access and use become much more obvious if we compare South Africa to a place like the US. In the US, there is almost universal access to newspapers and to television and radio broadcast news, increasingly close-to-universal access to cable or satellite television, and rapidly expanding access to Internet media. Yet there are dozens of national cable or satellite news providers who compete with the four national broadcast networks, around 20 national radio networks, over 1 000 local television stations, 6 000 cable television systems, over 1 600 daily newspapers, 7 500 weeklies, and 11 000 radio stations.¹²

Therefore, while universal access and blanket coverage dangles the tantalising possibility of reaching very large audiences, hyper-market segmentation simultaneously makes this possibility extremely unlikely since, with the exception of a few major national events like the national football championship game (Super Bowl), only relatively small segments of the national audience are ever tuned into a particular station or read a particular paper. Consequently, one immediate lesson we can draw is that it would be relatively easier for an interest group to run a media-based advocacy campaign in South Africa that could reach large proportions of the public by advertising in a relatively small number of stations or titles than in the US.

Voter interest in media election coverage

To date, we have seen that physical access to and use of media for political news is fairly widespread, and that radio and television use, at least in urban South Africa, is high and probably not that much lower than in the US. But are these levels of media use maintained during election campaigns? In South Africa's case, the data reveal a clear answer of 'no'. According to the Comparative National Elections Project / South African National Election Study (CNEP / SANES) post-election surveys of 2004 and 2009, only about one-half of all people told interviewers that they had been 'very' or 'somewhat interested' in those general elections. In striking contrast, 90 per cent of all US respondents were similarly interested in the 1992 presidential campaign between George H Bush, Bill Clinton and Ross Perot, and the 2004 contest between George W Bush and John Kerry (see Table 8.1).

In fact, the data suggest that many South African news consumers systematically 'tune out' election news. This means that while 85 per cent regularly watch television news, just 43 per cent said they regularly followed the 2009 campaign on television and 47 per cent said they paid a 'great deal' or 'some' attention to the election news that they did read. The proportion of regular radio news consumers fell from 87 per cent in general to 27 per cent for election news, with just 35 per cent paying attention to that news. As for newspapers, the corresponding proportions were 54 per cent, 19 per cent and 30 per cent. Less than one in ten followed election news on radio (9 per cent) or television (6 per cent) talk shows and just 1 per cent followed through Internet news sites or chat rooms (Table 8.1).

At the same time, most of these figures were significantly higher in 2009 than in 2004, which we would argue was a consequence of the increased competition to the African National Congress (ANC) presented by the Congress of the People (COPE) in 2009. While radio use decreased, both television news viewership and newspaper readership increased substantially (by 12 and 6 percentage points respectively). More importantly, attention to election news also increased substantially for television viewers (30 per cent to 47 per cent) and newspaper readers (19 per cent to 30 per cent).

Whether or not these levels of 'virtual engagement' with the electoral process continue to rise will depend on whether increasing numbers of voters, especially African voters, believe the election result is not a foregone conclusion and thus feel they have a reason to keep in touch with the actual campaign. Given the foibles of COPE since the 2009 election, we have little confidence that they will. But even with the increased levels of media use in 2009, South Africans are still far less likely than Americans to follow their campaigns through the mass media of television (43 per cent to 71 per cent), newspapers (19 per cent to 37 per cent) and the Internet (1 per cent to 28 per cent), although they maintain a slight edge on radio (37 per cent to 27 per cent) (Table 8.1).

Table 8.1 Election campaign news media use in South Africa and the United States

	US 1992 %	US 2004 %	SA 2004 %	SA 2009 %
Interest in election campaigns*	90	90	48	51
Election news use**				
Television	73	71	31	43
Radio	–	37	33	27
Newspapers	74	37	13	19
Radio talk shows	–	–	–	9
Television talk shows	–	–	–	6
Internet	–	28	1	1
Election news attention***				
Television	71	–	30	47
Radio	–	–	33	35
Newspaper	66	–	19	30
Internet	–	–	1	1

Source: Comparative National Elections Project

* Very / somewhat interested

** Follow campaign daily / 3–4 times a week

*** Paid great deal / some attention

The quality of media election coverage

One might speculate that South Africans' low levels of attention to campaign news is a function of their distrust of media in general. Yet since the requisite questions were first asked in 2000, Afrobarometer surveys have consistently found higher levels of popular trust in the SABC than for any other national institution, including the president and parliament.¹³ And while it is true that trust in the SABC (as well as in newspapers) eroded between the 2004 and 2009 campaigns (from 70 per cent to 63 per cent for the SABC, putting the SABC behind e.tv; and from 57 per cent to 45 per cent for newspapers), levels of media trust are still far more widespread than levels of actual campaign news use. As for its election coverage, very few South Africans thought, either in 2004 or 2009, that the media they used were biased toward any specific political party. In 2009, the figures were just 6 per cent each for television,

radio or newspapers, the vast majority of which detected bias towards the governing ANC rather than any opposition party (Table 8.2).

Table 8.2 Attitudes to election news media in South Africa and the US¹⁴

	US 1992 %	US 2004 %	SA 2004 %	SA 2009 %
Trust in news media				
SABC	–	–	70	63
e.tv	–	–	67	67
Newspapers	–	–	57	45
Perceived bias				
Television news	34	11	5	6
Radio news	–	18	9	6
Newspapers	45	32	6	6
Television talk shows	–	14	2	3
Radio talk shows	–	18	4	2

Moreover, popular perceptions were quite accurate. Media Tenor’s analyses of the 2004 and 2009 campaigns show that while the ANC received a greater volume of coverage than other parties, its overall share of coverage was far lower than its proportion of parliamentary representation would suggest, while most opposition parties received higher levels of coverage (which is, of course, only one criteria for judging bias). More importantly, there was no evidence that the ANC’s coverage was significantly more favourable than it was for other parties.¹⁵

For example, in 2004, while the ANC held over two-thirds of the seats in parliament, and controlled most provincial governments, it received only 39 per cent of the total coverage of all political parties, compared to the DA’s 20 per cent, the IFP’s 11 per cent and the NNP’s 9 per cent, with the remainder of coverage spread over 21 other political parties. By far, the typical news media statement about any major party was neutral and no party received substantially more or less positive or negative reporting. This held true across radio, television and newspaper coverage. In 2009, the ANC did receive a substantially larger share of all coverage (52 per cent) followed by COPE (18 per cent), DA (12 per cent) and IFP (6 per cent). But, as in 2004, the average media statement about any party was still likely to be neutral, though the share of both positive and negative reporting rose for all parties. And coverage of the ANC and the IFP contained about 3 percentage points more negative than positive statements, roughly about the same balance as 2004. The number of

positive statements about the two key opposition parties, the DA and COPE, however, outnumbered negative statements by a substantial margin (Table 8.3).

Table 8.3 Perceptions of biased coverage of South African election campaigns

	2004				2009			
	Share of all party coverage	Favourability of coverage %			Share of all party coverage %	Favourability of coverage %		
		Neg.	Neutral	Pos.		Neg.	Neutral	Pos.
African National Congress	39	16	72	12	52	29	45	26
Congress of the People	–	–	–	–	18	17	50	33
Democratic Alliance	20	15	75	10	12	11	60	29
Inkatha Freedom Party	11	14	78	9	6	26	52	23
New National Party	9	10	75	14	–	–	–	–

Source: Media Tenor

The larger significance of the otherwise trivial levels of perceived media bias in South Africa is clear only once we compare them to the US where high levels of news media access and use are compromised by the fact that significant proportions of all potential voters believe that the media they use are biased toward one or the other of the two main political parties. In 2004, the Republicans and Democrats received an almost equal share of coverage (49 per cent versus 51 per cent), but the Obama factor resulted in a decided Democratic edge in 2008 (56 per cent) (Table 8.3).¹⁶ Yet in 2004, 32 per cent said that the newspaper they used most often for campaign news was biased, 18 per cent for radio news, and 11 per cent for television news. The US data also offer at least one other important lesson. Popular perceptions of media bias in 2004 were substantially lower than those measured in the 1992 campaign. The reason for this is, ironically, the growing diversification and ideological nature of the US news media. Because more people can now find a news show which agrees with their own partisan preference, they are less likely to perceive a partisan bias than in 1992 when most viewers were restricted to watching one of the three main network news programmes.

However, in neither country do the news media depict the election as a contest of public policy or ideology. According to the Media Tenor analyses of media coverage, just 25 per cent of all South African campaign coverage in 2004 focused on the political

parties' stances on issues of public policy, while 75 per cent focused on non-policy matters such as electioneering, internal party political issues or leadership debates. In 2009, with the attendant controversy over Jacob Zuma's challenge to Thabo Mbeki and his corruption charges, as well as the resulting split in the ANC and the formation of COPE, the share of policy coverage declined even further to just 9 per cent of all coverage. Policy coverage in the US amounted to no more than 20 per cent of all election coverage in either 2004 or 2008.¹⁷

Yet even when the South African news media focus specifically on a political party, policy still makes up a minority of coverage. Of the parties that won parliamentary seats, the small African Christian Democratic Party received the highest proportion of policy coverage in both 2004 and 2009 (with 45 per cent and 28 per cent respectively). Therefore, election coverage in South Africa is largely *not* about public policy, but about people and personality. This is yet another piece of evidence which suggests that South African election campaigns are not propitious sites for policy advocacy campaigns.

To the extent that South African news media do focus on policy coverage, they tend to get the balance of issues right, at least in terms of the issues that are salient to voters. We compare the results of the Media Tenor media content analysis with responses to a CNEP / SANES question that asked respondents which issues were, at the time of the election, the most important ones that government should address (though these data should be compared with some caution: news media can decide to cover any issue, but respondents were only able to mention up to three issues). In 2004, the issues mentioned most frequently by citizens were jobs (25 per cent of all 'mentions'), social issues (like poverty and service delivery) (14 per cent), crime (13 per cent), health (11 per cent) and housing (9 per cent). With the exception of housing, these issues were all among the seven issues most frequently discussed by the news media. At the same time, the data suggest that the news media tended to under-emphasise social policy, crime and education in comparison to voter concerns, and over-emphasise economic and business policy (see Table 8.4).

Within the share of policy coverage, the relative balance of issues also matches up well with what South African political parties actually say (at least as reflected by their election manifestoes). For evidence, we turn to Media Tenor's content analysis of the political parties' 2009 campaign manifestos. Again, a comparison of the weight given to various issues by both party manifestos and news media campaign coverage reveals a broad overlap. At the same time, the data suggest that the political parties gave more emphasis to health issues than the media campaign coverage would imply, but less to business, social issues, economic management and education (see Table 8.5).

Table 8.4 Comparison of the media agenda and the public agenda

	2004		2009	
	Media %	Citizens %	Media %	Citizens %
Non-policy	75		91	
Policy	25		9	
	100		100	
Social policy	12	14	21	17
Poverty / destitution		(8)		(8)
Water		(6)		(6)
Food shortage / famine		(<1)		(2)
Orphans		(<1)		(1)
Other services		(1)		(<1)
Labour policy	12	25	6	22
Health	12	11	6	8
Economic policy / management	8	2	15	6
Security / crime	7	13	8	12
Justice / prosecution	7	4	12	6
Corruption		(4)		(6)
Foreign affairs / defence	6	<1	2	–
Culture	5	–	4	–
Minorities and migration	5	1	1	1
Housing	5	9	2	8
Education	4	4	12	3
Business issues / policy	4	–	15	–
Gender / family	2	<1	2	–
Budget	1	1	1	2
Land / agriculture	1	1	4	3
Media / media policy	1	–	2	–
Energy	1	–	1	–
Electricity		4		5

	2004		2009	
	Media %	Citizens %	Media %	Citizens %
Tourism	1	–	<1	–
Transport / roads	1	3	1	5
Environment	<1	–	1	–
International trade	<1	–	2	–
Sport	<1	–	<1	–
Technology / research	<1	–	<1	–
Mining	<1	–	<1	–
Other domestic policies	5	<1	3	1
Communications		(<1)		(1)
	100		100	

Source: Media Tenor and Comparative National Elections Project

Table 8.5 Comparison of the media, party and public agendas, 2009

	Political parties %	Media %	Citizens %
Social policy	11	21	17
Labour policy / employment	5	6	22
Health	12	6	8
Economic policy / management	5	15	6
Security / crime	8	8	12
Justice / prosecution	9	12	6
Foreign affairs / defence	3	2	–
Culture	3	4	–
Minorities and migration	–	1	1
Housing	5	2	8
Education	8	12	3
Business issues / policy	2	15	–
Gender / family	1	2	–
Budget	2	1	2
Land / agriculture	5	4	3

	Political parties %	Media %	Citizens %
Energy	–	1	5
Transport / roads	–	1	5
Environment	5	1	–
Sport	1	<1	–
Infrastructure	6	–	1
Government and constitution	7	–	–

Source: Media Tenor and Comparative National Elections Project

Direct face-to-face campaigning

News media coverage is only one way in which voters can hear and judge the arguments of contending parties, candidates and interest groups about the past performance of the governing party, or about all of the parties' policy positions, campaign promises and overall suitability to govern. Parties and candidates can also take their messages directly to the voters through mass rallies, personal contacts or advertisements in the mass media.

We focus first on the effectiveness with which South Africa's parties take their messages directly to the voters through personal, face-to-face contacts. About one in four South Africans attended a campaign rally (23 per cent) in 2004, increasing to almost a third (31 per cent) in 2009 (Table 8.6). While these levels of mass interaction with political parties are substantially higher than in the US (11 per cent in 1992 and 6 per cent in 2004), the vast majority of this engagement takes place between the voters and the ANC. While 25 per cent attended an ANC rally in 2009, no other party managed to attract more than 3 per cent to its events (Table 8.7).

Table 8.6 Direct campaigning, South Africa vs the US

	US 1992 %	US 2004 %	SA 2004 %	SA 2009 %
Attended rally	11	6	23	31
Contacted by party	69	71	23	23
In person	–	10	20	20
Mail	–	44	1	<1
SMS	–	–	–	3
Telephone	–	46	2	1
E-mail	–	13	<1	1

Source: Comparative National Elections Project

Yet US political parties contact far larger proportions of voters, and do so through a wider variety of methods. In 2004, almost three-quarters of Americans said they were contacted by a party (71 per cent) compared to just one-fifth (21 per cent) of the South African electorate. And while US parties use a wide repertoire of methods (phone, mail, e-mail and personal visits), South African parties employ household canvassing and personal visits almost solely. Again, voters were far more likely to be contacted by the ANC (19 per cent) than any opposition party (COPE, 7 per cent; DA, 6 per cent), though almost all parties relied on personal visits compared to any other method.

Table 8.7 Direct campaigning in South Africa, 2009

	Total	ANC	COPE	DA	IFP	ID	UDM	ACDP	FF+
Attended rally	31	25	3	3	2	0	1	0	0
Contacted by party	23	19	7	6	2	2	1	1	<1
In person	20	15	6	3	2	1	1	1	<1
SMS	3	1	1	2	<1	<1	0	<1	<1
Telephone	1	1	1	<1	0	<1	0	<1	0
E-mail	1	1	0	1	<1	<1	<1	<1	<1
Mail	<1	<1	0	0	0	<1	0	0	0

Source: Comparative National Elections Project

Campaign mass advertising

Television is one of the quickest ways that an opposition party, particularly a new one, can reach a large number of voters and use its visual power to build a distinctive image in voters' minds. Yet television advertising was not allowed in South Africa during the 1994, 1999 or 2004 elections (with the exception of very short 'public election broadcasts' in 2004, allocated on the basis of existing legislative representation and the current number of candidates).¹⁸ This left parties with the option of paying for advertisements on radio or in newspapers (with print being particularly expensive) and meant that many opposition parties did not have the financial means to run a sustained advertising campaign. In late 2008, ICASA however, issued new regulations that required television networks to provide parties with free airtime. Television and radio broadcasting licence holders were required to make available four two-minute time slots every day for election broadcasts during the designated campaign period. And in contrast to the formula for allocating multi-party funding, airtime would be allocated proportionally based on the current number of *candidates* fielded by a party (rather than by its number of currently elected legislative representatives). Perhaps as important,

the new regulations also enabled political parties, for the first time, to purchase normal commercial time for partisan advertisements.

Therefore, as long as they were able to field a full slate of candidates, opposition parties were offered, for the first time, the possibility of reaching a national audience and cutting into some of the ANC’s huge advantages in face-to-face campaigning previously described. For a variety of reasons, however, this potential was not fully realised. According to the SABC, 40 of the 84 allocated free two-minute spots ultimately went unused.¹⁹ One reason appears to be that smaller parties were either unfamiliar with the process of finding adequately skilled people to produce these spots and/or were unable to afford them.

Another reason seems to be the ‘last-minute’ nature of the process. The regulations were only promulgated in late 2008, and subsequently met heavy resistance from the financially strapped SABC, which did not want to give away so much free advertising time. Ultimately, the air time was only allocated once the IEC verified each party’s slate of candidates (since that was part of the allocation formula), which meant that the actual slots were only made available in time for the final three weeks of the campaign. And while several parties purchased additional slots of normal commercial time, the total number of slots was insufficient to bring the party campaigns to a majority of voters.

According to the Ornico Group, an organisation specialising in monitoring South African advertising, 368 advertisements were aired on television between mid-February and Election Day. Overall, just 42 per cent of CNEP / SANES respondents recalled seeing any of these advertisements. However, this still outpaced the reach of party advertising on radio (where 31 per cent recalled hearing an ad) or in newspapers (where 30 per cent remembered seeing one). As a result, the 2009 experiment in television advertising expanded the ‘reach’ of the campaign to a larger slice of the electorate compared to previous strategies that relied only on radio and print. It also gave them greater access to ‘independent voters’; that is, respondents who said they did not feel close to any particular party and were therefore not already wedded to one party or another (see Table 8.8).

Table 8.8 Advertisement recall

	Television	Radio	Newspapers
Any ad (all voters)	41	31	30
Any ad (partisan identifiers)	43	38	32
Any ad (independents)	40	28	26
Specific party ads			
African National Congress	38	29	27
Democratic Alliance	23	12	16
Congress of the People	19	10	13

Independent Democrats	7	3	5
Inkatha Freedom Party	5	6	7
Freedom Front Plus	3	<1	1
United Democratic Movement	2	1	1
African Muslim Party	2	1	1
United Christian Democratic Party	1	<1	1
Minority Front	1	<1	<1
Azanian People's Organisation	1	1	1
Pan Africanist Congress	1	1	1
African Christian Democratic Party	1	<1	1
Afrikaner Unity Movement	1	<1	<1
Federal Alliance	–	1	–

Source: Comparative National Elections Project / South Africa National Elections Study

At the same time, the ‘reach’ of the respective parties varied widely. According to Ornico, the total value of television ads – whether free or purchased – broadcast by the ANC came to ZAR8,1 million and were seen by 38 per cent of citizens, and for the DA, ZAR4,1 million, which were seen by 23 per cent. No other party’s total airtime came close to either of these. Yet while smaller opposition parties were only able to make use of much smaller amounts of time, they received far more ‘bang for the buck’ given their limited investments. For instance, while COPE’s total airtime use was worth about one-eighth of the DA’s, it reached almost as many voters (19 per cent). The same type of disproportionate effect is true for the ID and especially the IFP (see Table 8.9).

While the data should be treated with some caution due to problems in recall and projection, the data in Table 8.9 also suggest that most parties achieved far more return on their ad spend (at least in terms of sheer exposure) from television rather than radio (no data are available on print-ad spend). Indeed, there are some examples of gross ‘overspend’ on radio, such as the IFP which spent ZAR2 million on radio ads that were heard by 6 per cent when a mere ZAR32 500 investment in a television spot got almost the same exposure! The FF+ and ACDP also spent relatively large amounts to speak to similarly small audiences.

Table 8.9 Citizen viewership of campaign advertising v. party ad spend

	Television			Radio		
	Total ads	Total airtime value (ZAR)	% who saw ad	Total ads	Total airtime value (ZAR)	% who saw ad
ANC	220	R8 126 916	38	3 319	R9 736 050	29
DA	83	R4 056 588	23	1 111	R5 729 422	12
COPE	27	R537 500	19	14	R54 884	10
ID	6	R278 667	7	–	–	3
IFP	3	R32 500	5	1 493	R2 038 499	6
FF+	5	R212 500	3	666	R2 715 421	<1
UDM	–	–	2	–	–	1
AMP*	2	R279 000	2	28	R123 038	1
UCDP**	7	R243 000	1	–	–	<1
MF	–	–	1	–	–	<1
Azapo	3	R86 250	1	97	R189 612	1
PAC	3	R48 750	1	45	R376 275	1
ACDP	4	R193 500	1	228	R1 200 773	<1
AUM	–	–	1	–	–	<1
FA	–	–	–	–	–	1

Source: Comparative National Elections Project and Ornico

* Ad time attributed to Al Jama AH

** Ad time attributed to Christian Democratic Alliance

The voting decision

A final factor that limits the potential of South African election campaigns as sites of policy debate and interest group advocacy is that relatively few voters are available for persuasion. In both 2004 and 2009, just one-in-ten respondents told CNEP / SANES interviewers that they had made up their mind in the final few weeks of the campaign. In contrast, four-in-ten US voters (46 per cent) said they decided during either the early or late campaign period in 1992, declining to one-third (32 per cent) in 2004 (Table 8.10). Yet in 2009, this was precisely when South Africa's political parties spent most of their money on advertising, and when free television slots were finally made available. About 85 per cent of all people either had made up their minds before the

election or said they did not vote. In a sense, one could say that the entire campaign was run for the benefit of less than one in five voters.

Table 8.10 Date of voter decision

	US 1992 %	US 2004 %	SA 2004 %	SA 2009 %
On election day	N/A	7	4	3
In the last few weeks before the election	22	11	6	6
At least a month before the election	23	14	5	6
Before the campaign started	32	42	57	64
Did not vote	22	26	28	21

Campaigns as sites for policy debate and policy advocacy

We return to the question we set out at the beginning of this chapter. How useful are election campaigns as a site for South African interest groups to advocate policy change, either on their own or through allied political parties? The evidence presented here strongly suggests that election campaigns, at least as currently structured and executed, are not good forums for interest groups to advocate for policy change.

First of all, we have seen that South African election campaigns enjoy fairly limited levels of public visibility. While South Africans enjoy fairly widespread levels of access to and use of news media in general, large proportions of voters, many of whom have either already decided who they will vote for, or already concluded that no party represents their interests,²⁰ systematically ‘tune out’ and ignore the campaign. Indeed, less than 60 per cent of all eligible voters went to the polls in 2009. Second, the evidence suggests that at least part of the problem stems from the way the South African news media cover campaigns. While they are generally balanced in both time and interpretation, news media overwhelmingly focus on things other than the parties’ policy positions or pronouncements. Third, evidence suggests that South Africa’s political parties are also part of the problem. Besides mobilising their niche support groups through door-to-door canvassing, party campaign strategies are relatively unimaginative in using other methods to attract the attention of voters and ultimately reach relatively limited parts of the electorate. At the same time, parties are also hamstrung by the sheer cost of running nationally based face-to-face campaigns, or reaching the national electorate through television advertising.

Conclusion

If election campaigns are to become more meaningful vehicles for national discussion of where South Africa has been, and where it is going, and which party is best placed to take it there, the country's political parties need to become far better skilled at the production of television advertising, as well as other forms of directly contacting voters. The South African news media also need to do a better job covering the positions and campaign statements of political parties and candidates, not just the spectacle of campaign events, issues of personality, or horse-race assessments of who is ahead and who is behind. In turn, the IEC needs to revisit its method and formula of distributing funds. If elections are to be contests of ideas and policies, larger proportions of funding need to be made available to all political parties on an equal (rather than a proportional) basis. In addition, both the IEC and ICASA need to develop ways to provide greater technical support to all political parties so they can make better use of the television and take their campaigns to larger numbers of voters.

Finally, South Africa's political parties need to become far better at the use of available platforms and media through the five-year election cycle – such as local ward councillors or party representatives, as well as free media coverage of parliamentary activity – rather than waiting for the final six-week election campaign. Accordingly, more public funds need to be made available throughout the five-year election cycle, rather than only in the final campaign period.

Notes

- 1 For an exception, see Africa, C. 2009. *The Impact of the 2004 Election Campaign on the Quality of Democracy in South Africa*. (Doctoral Dissertation, University of Cape Town).
- 2 As of 2007, South Africa's over-15 literacy rate was estimated at 88 per cent. *Human Development Report*, 2010. (United Nations Development Program, 2010 <<http://hdr.undp.org/en/>>).
- 3 The 2009 South African Advertisers Research Foundation's All Media and Products Survey (AMPS) put it slightly lower, at 47 per cent of all adults.
- 4 South African Advertisers Research Foundation (SAARF); All Media and Products Survey (AMPS), 2009B.
- 5 Futurefact. The 2008 Afrobarometer, however, found that 30 per cent of all respondents said that their household did not own a television, with the figure as high as 45 per cent amongst rural respondents compared to 20 per cent of urban respondents.
- 6 TAMPS.
- 7 SAARF's RAMPS 2010.
- 8 Digital Media and Marketing Association (previously Online Publishers Association), August 2010.
- 9 Futurefact. 2009.
- 10 WorldWide Worx, Afrobarometer, and Markinor.

- 11 Digital Media and Marketing Association (previously Online Publishers Association), August 2010.
- 12 Patterson, W. 2000. The United States: News in a Free Market Society. in Gunther, R. and Mughan, A. (eds) *Democracy and the Media: A Comparative Perspective*. Cambridge: Cambridge University Press: 244.
- 13 Glenn and Mattes, forthcoming 2011.
- 14 Source: Comparative National Elections Project.
- 15 Separate media content analysis by Media Monitoring Africa concluded that 84 per cent of all media items were free of bias, with just 16 per cent of items considered biased. They observed that 'when the media did exhibit clear bias it was largely due to covering allegations without allowing for the party or person about whom the allegation was made to respond'.
- 16 'The 2008 US Election'. Media Tenor International <<http://www.mediatenor.com>>.
- 17 'The 2008 US Election'. Media Tenor International <<http://www.mediatenor.com>>.
- 18 Davis, G. 2005. Media Coverage in Election '04. in Piombo, J. and Nijzink, L. (eds) *Electoral Politics in South Africa: Assessing the First Democratic Decade*. New York: Palgrave Macmillan.
- 19 Duncan, S. 2009. Desperately Seeking Depth: The Media and the 2009 Elections. in Southall, R. and Daniel, J. (eds) *Zunami!: The 2009 South African Elections*. Johannesburg: Jacana: 225.
- 20 For evidence to this effect, see Mattes, R. 1995. *The Election Book: Judgment and Choice in South Africa's 1994 Election*. Cape Town: Idasa; and, Feree, K. 2010. *Framing the Race in South Africa: The Political Origins of Racial-Census Election*. Cambridge: Cambridge University Press.

9

Chapter

Challenges for interest groups and their advocacy campaigns: The case of sustainable medium density housing

Anzabeth Tonkin and Lufuno Muthambi

The Rainbow Housing Co-operative (Rainbow), whose members are predominantly domestic workers,¹ has a long list of advocacy and lobbying efforts with a wide range of stakeholders. The co-operative is a local group, with members living and working in the Atlantic Seaboard and Cape Town CBD areas. Their efforts to find affordable housing for their members on land and urban facilities close to their places of employment span more than a decade, testifying to their tenacity. However, despite their unrelenting efforts, to date they have not achieved tangible results. Considering the co-operative's mission, it is hardly surprising that the road has been uphill, given the social, political and economic dynamics at play in South Africa, and particularly in the Western Cape.

Rainbow's advocacy and lobbying efforts are not limited to meeting the housing needs of their members. Instead, their project addresses policy issues that affect the delivery of well-located, affordable public rental housing on a national scale because other citizens with similar profiles are also battling to assert their socio-economic rights. In an urban context characterised by poverty, inequality, informality and a land and property market that excludes the poor, it is becoming exceedingly difficult for the poor to access adequate housing, despite laws and policies guaranteeing such rights. This chapter highlights the gaps between these policies and their practice.

Background

Rainbow is an initiative of low-income earners, including domestic workers, caregivers, cleaners, gardeners, caretakers, chauffeurs and restaurant/hotel workers, who united in 1996 to address their housing needs. They named their group Rainbow Housing, as their membership comprises mixed racial groups that represent the rainbow nation. In 2000, the group approached the Development Action Group (DAG), a non-governmental organisation, to support them with project management, training, capacity development, and advocacy and lobbying. With DAG's support and partnership, the members formed a housing co-operative, and registered as Rainbow Housing Co-operative Limited, a primary trading housing co-operative, incorporated under the Co-operatives Act (91 of 1981) in May 2003. The co-operative is a joint-ownership scheme in which members are shareholders with equal rights and obligations, and each member is entitled to occupy a housing unit of the co-operative;

that is, 1 member = 1 share = 1 vote = 1 unit.

The goals and objectives of Rainbow are to:

- save collectively on a monthly basis towards housing
- lobby key stakeholders for resources
- seek information, knowledge and skills to empower and mobilise members continuously
- improve the living conditions of members
- ensure that the co-operative members' constitutional right of 'access to adequate housing' is fulfilled, which will inevitably restore their dignity
- acquire, develop, hold and maintain immovable property on behalf of members, and
- make housing units available for members according to the co-operative's principles, which are voluntary and open membership, democratic membership control, member economic participation, autonomy and independence, education, training and information, co-operative among co-operatives, concern for community.

Institutional and organisational structure of the Rainbow Housing Co-operative

Rainbow's direct beneficiaries are low-income households – households with monthly incomes below ZAR3500. Currently, there are approximately 300 registered members on the co-operative's waiting list for affordable medium-density housing. The co-operative's general membership is the governing and highest decision-making structure. Members attend monthly general meetings where they decide key issues, update the membership on project progress and, when DAG conducts workshops, to build the memberships capacity. DAG's workshops cover, for example, government and bureaucratic processes, understanding basic policy imperatives and issues relating to housing and urban development such as good location, housing tenure options and housing typologies suited to well-located areas, and status reports on meetings with government.

The general meetings used to take place in one of two church halls, and the fundraising committee had to collect money from members to pay for the venue's hire. Annually, expenses for hiring of venues for the monthly general meetings, the AGM and fundraising amounted to around ZAR1 500, which members clearly could not afford. The proximity of the Sea Point Civic Hall and the facility's reasonable hourly rates prompted the co-operative's executive committee to approach the City of Cape Town for permission to convene meetings in the civic hall. After several requests to the City, the authorities finally agreed to make the Civic Hall available for meetings free of charge.

The Executive Committee members represent the active leadership of the organisation. Committee members have weekly meetings and contribute their time without compensation, regardless of their full-time, low-income employment and family obligations.

The Savings and Fundraising Committees are sub-committees that work closely with the Executive Committee. The Savings Committee's main task is to administer and monitor the co-operative's savings and to provide regular financial reports to members. The Savings Committee opened a pool savings bank account with Standard Bank and members are required to save a minimum of ZAR50 per month to earn one point on a monthly basis. The co-operative uses the point-allocation system as criteria for housing allocation: members with more points are placed at the top of the waiting list and will be allocated a housing unit before non-savers. This encourages members to increase their options by saving towards the shortfall between the government subsidy amount and actual cost of their housing.

The Fundraising Committee is responsible for arranging small fundraising activities for the project, such as raffles and markets/bazaars. This Committee is responsible for depositing all funds raised as well as other organisational monies, such as membership fees (which are ZAR10 per year), into an account that is separate from Rainbow's savings account.

Development Action Group (DAG) as a support organisation

DAG advocates for pro-poor and participatory urban development. The organisation's aim is to influence urban development policy and practice while supporting poor people to overcome the effects of poverty and Apartheid. DAG collaborates with communities, using training and other programmes to build capacity and assist people in expanding and using the resources available to them.

DAG contributes to the urban development discourse and influences development policy and practice through its research programme, demonstration projects and partnerships with government and communities. The organisation's vision is to create sustainable human settlements through policies and processes that enhance human rights, dignity and equity.

Since 2000, the Rainbow project has formed part of DAG's annual planning, budgets, and advocacy and lobbying strategies. DAG has been in a unique position to

- support Rainbow to take advantage of government policies and development initiatives
- support Rainbow as a marginalised group to lobby for the redistribution of resources
- mobilise the group's resources (financial and human) to improve the quality of their housing situation
- develop replicable models, frameworks and guidelines for community-based development projects, and
- work with the public sector, particularly local government, to develop policy and ensure that implementation responds to the real needs of the urban poor.

DAG has also offered key organisational support for Rainbow, supporting the group's application to register as a legal entity and strengthening its leadership and membership capacity. For instance, DAG shared essential organisational management skills, offered training workshops, lobbied key stakeholders for resources, conducted project-related surveys/research; offered technical assistance/advice, and networked with projects of a similar nature to create meaningful relationships. DAG also supported the co-operative's administrative needs, such as typing/drafting outgoing correspondence, collecting and collating the beneficiary database, developing membership cards, conducting socio-economic surveys, offering technical assistance and analysis of identified properties, developing plans, and implementing participatory design processes (house designs, layout plans etc.). With DAG's support, Rainbow lobbies extensively at local, provincial and national government levels.

However, DAG is not suited to play the role of social housing institution that develops and manages the primary housing co-operative, and is unable to provide long-term project-level support to the co-operative.

Context

Since 1994, the South African government has made substantive legislative advances that have greatly reduced the vulnerability of domestic workers. Nevertheless, there are significant gaps between policy and practice, especially where housing and tenure security are concerned.

The challenge

In post-Apartheid South Africa, domestic workers still work long hours, have heavy workloads, are under high levels of control, have regimented lifestyles, lack personal privacy, and have high levels of employment and housing insecurity. Notwithstanding the critical and valuable work domestic and other low-income workers perform, and their significant contribution to the economy, they continue to be a marginalised and vulnerable group. According to Thenjiwe Magwaza,³ the number of domestic workers in South Africa is estimated at around one million, of which over 90 per cent are Black women. Domestic workers in private households accounted for an estimated 8,7 per cent of all employees, and 18,7 per cent of women employees in 2003 – this means almost one in five of all employed South African women.

More than half of the co-operative's members are employed as domestic workers, while the remainder work as restaurant/hotel workers, gardeners, cleaners, shop assistants and caregivers in well-located, affluent areas. More than three-quarters of households interviewed (79 per cent) within the co-operative earn a monthly income below ZAR3 000⁴, making them eligible for a government housing subsidy. The households also form part of approximately 74 per cent of those employed nationally aged 15 to 65 years, who have monthly incomes below ZAR3 200⁵. These Rainbow

members either reside in crowded or very small rooms (temporarily or permanently), or in the backyards of affluent areas of the Atlantic Seaboard and Cape Town CBD, or they travel long distances at great expense to and from township areas. Employees in the hospitality industry, working in well-located areas, are often forced to live in overcrowded conditions, sharing rooms or flats with a number of other tenants, still paying exploitative rental amounts.

Domestic workers are low-income earners and need accommodation in affordable rental units, where the monthly rental is not more than 25 per cent of the beneficiary's income. Nearly half of Rainbow's members pay for rental accommodation, while the other half has negotiated a 'live-in'⁶ arrangement. Currently, 32,5 per cent pay rentals of less than ZAR500 per month, while 13,5 per cent pay between ZAR501 and ZAR1 000 per month. According to research, the majority of members would find a monthly rental between ZAR500 and ZAR750 affordable.⁷ Looking at members' expenditure pattern, a significant amount of financial management is currently required to make ends meet. A stable housing environment will allow for significantly easier financial management.

Rainbow members are vulnerable because they are not highly educated, employment is scarce and many members fully depend on their employers for accommodation. For those workers residing at their places of employment, the conditions under which they live are often far from ideal. Employers often exploit these workers because they live on the premises, and they are often asked to perform household chores after hours, even if they are off-duty. Many employers do not allow families or partners to stay or sometimes to visit them. This is a source of despondency, especially for those with young children.

Living separately from partners also raises questions around issues of HIV/AIDS. For instance, members are often not allowed by their employers to have their partners/husbands live with them – especially in 'live-in' situations. One member (a child minder) whose employers would not allow her husband to live with her in the domestic quarters, declared emotionally that she is desperate because 'what can I do if my husband wants to take another wife?' – her husband works and lives in another suburb where she could not find a job.

Low wages in the service sector make it impossible for domestic and other workers to live close to their places of employment. Location of housing on the outskirts of the city not only incurs high transportation costs, but also high social and time costs. Indeed, the domestic workers require well-located land or buildings, which are close to their places of work, urban facilities and amenities, and are accessible by public transport. The co-operative, therefore, lobbied the three spheres of government – local, provincial and national – to secure government-owned land or appropriate buildings in or around the Atlantic Seaboard, inner city area, or as part of a broader urban renewal strategy.

The South African context

South Africa has a long history of colonisation and institutionalised racism, which forged great inequalities and racial divisions. Between 1991 and 2001, South Africa's Gini coefficient (which measures income inequality) increased from 0,68 to 0,77 (0 being absolute income equality and 1 being absolute income inequality).⁸ South Africa currently ranks as the most unequal country in the world in terms of income.

The last ten years have seen a complex and evolving policy framework, a related persistent restructuring of local government bodies and the gradual decline and evolution of South African civil society. Changes in macro-economic policy have meant that many social development initiatives are under-funded and have not had an optimal effect. Despite this, South Africa has a rich tradition of community-based organisations – participation in co-operatives, stokvels (savings clubs), burial clubs, church associations and sports clubs help communities to cope with everyday life.⁹

Until 1996, there was no single housing market for South Africans and no coherent national housing and settlement policies. Housing, therefore, became a political rallying point during the struggle for liberation and majority rule, and a top priority for the post-1994 government. Government's ability to provide adequate housing and shift related policies has been significant. For example, the complicated housing framework inherited from the previous government has changed to meet the challenge of housing millions of homeless and inadequately housed citizens.¹⁰ Major policy shifts echoing a rights-based approach now emphasise improving the quality of the end product (that is, the housing and related services) and the urban environment.

However, despite delivering about 1,8 million subsidised houses (mainly on the urban periphery) between 1994 and 2005, the number of families living in inadequate housing in urban areas grew rapidly during the same period. Although Section 25 of the Constitution states that government 'must take reasonable legislative and other measures within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis',¹¹ very little attempt has been made. In fact, housing rights as an organising principle for housing policies and programmes does not automatically incorporate civic action and/or civil society input on housing-related decisions. Today, the housing crisis is an important dimension of the overall poverty problem in South Africa, especially given that land and property markets exclude the poor.

The Grootboom judgment¹² and other court rulings have interpreted, with the assistance of international recommendations, what this right means for the state. The key principles are the following:

- The state must establish comprehensive and coherent programmes capable of facilitating the realisation of the right.
- The measures adopted by the state must be 'reasonable' within their context and within the availability of resources.
- The needs of the most vulnerable require special attention, and the state must

‘devise, fund, implement and supervise measures to provide relief’¹³ to those in desperate need. In contrast to international interpretations of the obligations of the state, the South African courts have rejected the concept of an individual right to a minimum core entitlement, and have instead emphasised the collective right to a reasonable policy.

On the issue of housing affordability, the Banking Council of South Africa estimated that only 20 per cent of new households could afford mortgage loans to buy housing through the market, and only 22 per cent of households had access to non-mortgage finance (typically loans of less than ZAR10 000). Up to 80 per cent of new households were therefore unable to gain access to adequate housing on their own, and this proportion continues to increase.¹⁴

The politics of housing and other areas of delivery such as water, sanitation, electricity, roads and other settlement-related services, have made politicians and officials averse to collaborative action, placing sustainable solutions further out of reach. The competitive nature of party politics and the tendency to use housing as a political football pervert the delivery process.¹⁵ Prior to the 2009 national elections, the party political dynamics hindered intergovernmental co-operation between the ANC-led provincial government and the DA-led local government in the Western Cape. Unfortunately, this antagonism also frustrated the co-operative’s efforts to secure adequate and affordable housing. Attempts to set up an inter-governmental task team proved to be difficult and unsustainable. Meeting South Africa’s urbanisation challenges depends largely on how the three spheres of government and other important role players, such as civil society and the private sector, are able to work together to address challenges and seize opportunities. Furthermore, the two elements that can potentially integrate a highly divided society, namely housing and land, are simply not used optimally and effectively.

Inadequate housing conditions have enormous implications for the general wellbeing of society. Women are especially vulnerable because they are most at risk when evicted, and housing is the basis for raising children and anchoring family life. The absence of parents, as well as overcrowding and inadequate access to services, can negate the effects of progressive health and education programmes, and adversely affect children.

The members of the Rainbow Housing Co-operative have lost faith in government’s housing programmes and are particularly concerned with government’s failure to make the land and property markets work for poor households. Although government has made many legislative changes that have greatly improved working conditions for domestic workers, huge gaps exist between policy and practice. For instance, the policy providing affordable and adequate housing on well-located land for households with incomes below ZAR3 500 per month – the Community Residential Units Programme – is largely untested, especially for greenfield or new developments.

The need for appropriate housing and tenure security are two key issues that continue to elude Rainbow members.

Housing and policy challenges

Across South Africa, low-income households struggle to access dignified and affordable subsidised rental housing opportunities on well-located land. This is why it is critical that the government revise and reconsider its social and public rental housing policy and practice.

The social housing challenge

The National Department of Housing's sustainable human settlement plan, *Breaking New Ground*,¹⁶ encourages all forms of rental accommodation and requests that the complementary spheres of government support this initiative. The strategy prioritises rental accommodation and stipulates that rental-housing accommodation will be made available for all income categories, including those receiving social grants, the aged and migrants.

In the 2003 Social Housing Policy for South Africa, social housing is defined as 'a rental or co-operative housing option for low income persons at a level of scale and built form which requires institutionalised management and which is provided by accredited social housing institutions or in accredited social housing projects in designated restructuring zones'.¹⁷ 'Low income persons' are broadly defined in the policy as 'those whose household income is below ZAR7 500 per month'.

According to the Social Housing Policy, the social housing model was designed to reach the primary market (ZAR1 500 to ZAR3 500), as well as the gap housing market (ZAR3 501 to ZAR7 500). In order to qualify for the capital grant on every unit, a project must have at least 30 per cent of units contributing to 'deep down-market' reach with maximum rentals no higher than ZAR2 500. The 'deep down-market' refers to rents falling between the lowest possible rental – an operating cost per unit assumed to be ZAR500 per month and implying an income of ZAR1 500 per month.¹⁸

However, according to calculations done by the Support Programme for Social Housing in April 2006, a minimum of ZAR2 400 household monthly income is required to be able to pay for rents and services.¹⁹ This means that social housing (with the exception of transitional, special needs and communal housing, of which limited stock is produced) is not about the provision of affordable (rental) housing for low-income earners such as the Rainbow Housing Co-operative. Sadly, in some communities, like the co-operative's, unrealistic expectations were created by the prospect of access to social housing. Therefore, in the South African context, the term 'social' housing is 'social' insofar as it utilises government subsidies for households earning between ZAR2 500 and ZAR7 500, but not 'social' in the sense that it is

housing intended for low-income earners (households earning below ZAR2 400). Therefore, an important advocacy and lobbying issue that emerged at a policy level is the need for public rental housing for people earning below ZAR2 500 and a model to illustrate its potential.

When Rainbow was formalised, members chose social housing in the form of a co-operative housing structure as their preferred housing tenure option. Co-operative housing is a form of social housing, where a housing management company or co-operative develops and manages primary housing co-operatives such as Rainbow. The objective of a co-operative is to provide consumer goods (housing, in this case) to its members at affordable rentals. Therefore, co-operatives usually originate from an economic need that arises from the hardship or suffering of people – hence the adage ‘co-operatives are born out of necessity’. In a housing co-operative, each member is an equal shareholder in the co-operative that owns the whole development with no member owning an individual house or flat. Housing co-operatives require a contribution towards the costs of housing units and help members obtain these funds through savings schemes. Members pay monthly charges to cover the actual costs of developing and managing the co-operative properties, and no one makes a profit out of these charges.

Less than 15 per cent of Rainbow members are eligible for conventional social housing, reflecting provincial and national trends for this income group. This makes it virtually impossible for a social housing institution to accommodate the majority of Rainbow members in their housing projects. The co-operative is, therefore, ‘unattractive’ to social housing institutions, as the viability of the institution is at risk from the outset. Moreover, the co-operative needs an entity or institution to develop the housing and manage the co-operative in the long term – a function that co-operative members are unskilled for and that neither DAG nor the government can fulfil.

In 2007, the City of Cape Town’s social housing branch proposed that the potential of the recently introduced Community Residential Units (CRU) Programme should be explored as a possibility for addressing Rainbow’s housing needs. The CRU Programme was introduced in 2007 and is a low-income, subsidised rental housing instrument, of which the success and application still needs to be tested.²⁰ In Cape Town, it is predominantly applied to hostel upgrade projects.

The potential of the rental sector to contribute towards urban renewal, restructuring of the Apartheid city and poverty alleviation is increasingly recognised.²¹ Unfortunately, to date dignified and affordable subsidised rental housing opportunities for low-income earners on well-located land is not widely available. Evidently, the need for rental housing in Cape Town and its contribution to successive generations for sustainable human settlement advancement is grossly underestimated.

Voices of the people: Advocacy and lobbying strategies

Based on the specific needs and low levels of affordability of its members, Rainbow Housing Co-operative's Executive Committee, with DAG's assistance, started lobbying a range of key stakeholders, in particular government officials and politicians. On the agenda was access to well-located land and/or buildings; security of tenure in the form of public rental housing or co-operative housing; and institutional, financial, management, capacity building and facilitation assistance.

The following section provides only a cursory overview of the range and type of advocacy and lobbying strategies and interactions of a group of marginalised citizens. Rainbow members, predominantly poor and generally considered 'invisible' to society at large, have entered the corridors of power against all odds. What follows, however, is not a sequential rendition of the co-operative's history.

Local government – City of Cape Town

Housing, as a facilitative right, is one the most powerful tools local government has to transform the spatial and social legacy of a segregated city. Local government, the sphere closest to communities, is best placed to make cities inclusive and to allow its poorer citizens enjoy the benefits of urbanity and access their essential human rights.

For this reason, Rainbow sought to engage local government in the form of the City of Cape Town. Regrettably, the opportunity to provide affordable and sustainable housing for a group of vulnerable but dedicated and well-organised citizens of Cape Town proved to be a challenge to government officials. They did not make use of an opportunity to identify what was missing and rectify unworkability in terms of inter-governmental and interdepartmental cooperation, housing policy, access to and finance of well-located land and buildings, as well as the overall functioning of the land and property market that excludes the poor.

The central component of the advocacy and lobbying strategy was to identify key government officials, politicians and platforms. Over the years, apart from meetings with officials, Rainbow and DAG prioritised meetings with incoming mayors, Mayoral Committee Members for Housing, Housing Portfolio Committee Chairpersons and Directors of Housing.

They also identified the Ward Councillor as an important role player and approached him to 'champion' the project. The Ward Councillor's support has been unwavering.

Very early on, a City of Cape Town housing official informed Rainbow Housing about the City's proposed social housing plan, and advised the group to organise themselves legally and to register as a housing co-operative to take advantage of the City's proposed Social Housing Strategy. Housing officials provided Rainbow with Geographic Information Systems (GIS) and aerial maps to identify properties owned by the City. The Ward Councillor, Rainbow and DAG identified sites and approached

the housing officials for follow up. A proposal was forwarded to politicians and senior-level housing officials for decision, but Rainbow experienced very little cooperation, despite agreeing to address their housing needs. Unfortunately, this trend was set to continue.

In 2003, the Ward Councillor proposed a motion on housing for domestic workers to the sub-council for adoption and project prioritisation. The sub-council again requested a comprehensive report detailing the Rainbow matter. The report detailed how difficult it was to provide suitable housing which was conveniently located for low-income households. The Ward Councillor emphasised the importance and urgency of domestic-worker housing and was supported by other councillors. The sub-council caucus then forwarded the document to the Housing Portfolio Committee, requesting that a task team to investigate housing for domestic workers be set up. No progress was made regarding the matter.

Later in 2003, Rainbow was invited to the City's Social Housing Launch where an agreement was signed between the City of Cape Town, the National Department of Housing and the Social Housing Foundation. At this launch, Rainbow discovered that the City's strategy target group was people with incomes of more than ZAR1 500 per month, which precludes most co-operative members. This was another major disappointment for Rainbow. Subsequently, the City of Cape Town and the Social Housing Foundation invited Rainbow to a co-operatives workshop where their needs were assessed and recorded. Again, the City did not follow up the process. That same year, Rainbow again participated in the mayoral listening campaign and follow up, yet no concrete decisions materialised.

In early 2005, Rainbow's Executive Committee again identified suitable properties owned by the City of Cape Town. With DAG's assistance, they compiled a report and presented it to housing officials. There was no immediate action taken, however, and since then some of the properties have become unavailable. However, the Ward Councillor explored the possibility of selling some land in order to cross-subsidise development on other government land parcels in the City Bowl area. The Council turned down his proposal because it would not allow ring-fencing funding for a specific group – all monies acquired must be allocated to the overall budget.

In one of the meetings with a Director of Housing, where the co-operative once again aimed to establish the nature of the City's commitment, the director informed the meeting that the City required a business plan from the co-operative. On the basis of the information set out in the business plan, the City, provincial government, DAG and Rainbow would negotiate a way forward to identify suitable land for housing. During that time, two Committee members conducted the socio-economic questionnaire that formed the basis for Rainbow's widely distributed business plan.

Rainbow Executive Committee members and DAG attended a meeting with yet another new Mayor in 2006. The purpose of the meeting was to hand over the business plan to ensure that Rainbow was on the new mayor's list of priorities, and

to obtain tangible commitment and action from the City in the form of state land or buildings. Without a substantial contribution from local or provincial government, it is unlikely that co-operative members would be able to afford housing on well-located land. The Mayor responded that she had an ‘inherent empathy’ with domestic workers because a domestic worker had raised her own boys, and she would do as much as she could within the constraints of the system to assist the co-operative. Subsequent to this meeting, a Council budget meeting, and internal meetings between the Mayor, the councillors and other officials, a follow-up meeting took place. The follow-up meeting with a senior official, the current mayor of Cape Town, affirmed the City’s willingness to assist Rainbow, but that it would not give the group ‘preferential treatment’.

As requested, Rainbow and DAG presented the draft business plan to the City’s housing department officials in 2006. In their feedback on the business plan, the City recognised the co-operative’s strengths and recommended, again, that the City seek to support this group. However, they did note several serious obstacles. For instance, the co-operative’s members earned very little, which could potentially jeopardise their ability to afford social housing. Moreover, their affordability problem is compounded by the fact that many co-operative members currently have very low housing and other costs, they support others who do not live with them and have low levels of savings. As a way forward, they were willing to convene meetings between Rainbow and the City’s social housing partners (which is a recommendation of the business plan). Unfortunately, severe staff shortages in the City’s social housing unit compromised this process. Notwithstanding, DAG submitted names of eligible co-operative members to one of the City’s social housing partners, but without any success to date.

In 2006, the Ward Councillor and chairperson of the sub-Council (CBD and environs) requested that the City’s housing department’s social housing unit update the sub-council on their interactions with the co-operative and comment on the business plan. The sub-council adopted the report’s recommendations. For instance, despite the financial constraints on the provision of well-located social housing for households with incomes of less than ZAR3 000 per month, the City should look at ways of achieving affordability by examining the possibility for employer contributions and shared accommodation. In addition, the housing department should pursue these issues with the co-operative, and the housing department should raise the possible inclusion of Rainbow members that meet their allocation criteria on planned projects with the City’s social housing partners. Furthermore, the meeting resolved that the City’s social housing unit should be involved in the same process with the provincial government.

Shortly thereafter, officials from the City’s social housing unit requested a meeting with DAG. They made it clear that their capacity, ability and resources (including land and capital) within the current social housing configuration (the City’s partnership with its social housing institution partners) did not allow them to assist the Rainbow in the way the co-operative expected. Unless some Rainbow members were absorbed

as individuals into some social housing projects,²² there was little chance that people earning as little as Rainbow members did would find social housing accommodation in the City Bowl vicinity. Furthermore, they suggested that if Rainbow did secure land, the City would be unable to assist the co-operative. This effectively nullified any financial assistance from employers and banks or finance institutions. This is just one of the many contradictions experienced in the struggle for housing low-income people on well-located land.

Provincial government – Western Cape

Provincial government is a landowner and owns a substantial number of public rental housing units in Cape Town. National government allocates subsidies via provincial government to local government. This made provincial government an important entity to lobby.

Soon after DAG started supporting Rainbow, the provincial MEC assured them that their problem would be resolved and that they ‘only need to contact the City of Cape Town housing portfolio committee and officials’. Eventually, a meeting took place between Rainbow, DAG, the MEC, officials from the City of Cape Town and the Social Housing Foundation. During the meeting, the City provided reasons why Rainbow’s members could not be housed. Nonetheless, in October 2003, when the MEC was interviewed by Umhlobo Wenene FM Stereo radio station about the department’s housing plans, the MEC indicated that the Department of Provincial Government and Housing had a plan to house domestic workers, and specifically Rainbow members. Again, government raised Rainbow’s expectations. Members followed up on the MEC’s statement without success.

In 2005, the MEC of Local Government and Housing of the Provincial Government of the Western Cape appointed a Reference Group, of which DAG was a member. The Reference Group was tasked with preparing a discussion document to help develop a Strategy and Implementation Plan for the Western Cape for ‘Breaking New Ground: A Comprehensive Plan for the Development of Sustainable Human Settlements’. The document recommended that the need for housing for special groups such as domestic workers and low-income employees working in well-located areas be addressed. The Reference Group presented the document at the Department of Provincial and Local Government’s Sustainable Human Settlements Summit at the end of November 2005. In addition, the document also informed the Western Cape Sustainable Human Settlement Strategy, *Isidima*, in June 2006. Both Rainbow and DAG considered this an important step towards providing affordable and adequate housing for low-income households across the province. Among other things, the recommendations emphasised the importance of cooperation between local and provincial government in securing land and/or buildings for low-income earners.

During 2006, Rainbow and DAG discussed Rainbow’s business plan with the Department of Local Government and Housing’s Director and Deputy Director

for Social Housing. The Director mandated the Deputy Director to ‘do whatever is necessary to attempt to solve the Rainbow members’ housing problem’.²³ She agreed to be the official provincial ‘champion’ for the Rainbow Housing Co-operative, and to draw up a plan of action with clearly defined milestones and deliverables for the project in terms of the partnership with the Provincial Government. Insubstantial support was rendered and no plan was ever drawn up.

Through the City of Cape Town, with the support of Rainbow’s Local Government Ward Councillor, an inter-governmental task team was set up in 2006. The first meeting took place at the Sea Point Civic Centre. The Ward Councillor, the Deputy Director: Social Housing of the provincial government, the City of Cape Town’s Social Housing branch, the City of Cape Town’s Public Engagement and Empowerment Department, the Rainbow Executive Committee and DAG attended the meeting.

At this meeting, a strategy was designed to secure the support of members’ employers. Several employers indicated their willingness to contribute financially towards housing for their employees, provided government created a trust fund or special purpose vehicle to ensure safekeeping of funds. Meetings between officials from the City’s Stakeholder Management and Empowerment and Social Housing Departments, the Ward Councillor, DAG and the Rainbow Executive Committee resulted in negotiations with three of the employers of Rainbow members who were willing to contribute to the housing of their employees. These initial meetings formed the basis of meetings held with approximately 15 employers willing to contribute. Unfortunately, owing to the absence of land and buildings, a trust fund for payment of employer contributions could not be set up.

The inter-governmental task team mandated that City and Provincial officials monitor progress on government land parcels and identify additional parcels of government-owned land and buildings in the CBD area. Several months later, the Deputy Director informed a Rainbow general meeting that her role was limited and that Rainbow should call for assistance from the MEC stating their problem – this, despite the mandate from the Director (via the Chief Director) to do whatever was necessary to assist Rainbow in their struggle for housing.

The inter-governmental task team meetings were convened on a monthly basis, and were initially attended by all parties except the Provincial ‘champion’ of the project. Later on, official attendance at these meetings dwindled until they became obsolete. At the time, political tensions between the ANC provincial government and the DA local government were high. However, it is not clear whether the non-cooperation between officials could be attributed to political, institutional or policy inadequacy.

As part of DAG’s broader participatory and accountability agenda, DAG’s community partners, including Rainbow Housing Co-operative, participate annually in the public meeting convened by the Standing Committee for Local Government and Housing to comment on the annual report of the Department of Local Government

and Housing in the Western Cape Provincial Legislature. Despite Rainbow's engagement with the Department of Local Government and Housing during 2006, the Chief Director did not know who the group was and confused them with another group representing domestic workers.

National government

The most noteworthy of Rainbow's interactions with national government was the group's march from Sea Point to Parliament on 17 May 2007. The purpose of the peaceful march was to hand over a memorandum on the co-operative's housing plight to the National Minister of Housing, Lindiwe Sisulu. In preparation for the march, co-operative members and DAG met on 21 March 2007, Human Rights Day, to agree on slogans for the banners, to strategise around obtaining permission from the police and the magistrate, to ensure that a representative from the Minister's office was on hand to receive their memorandum and to finalise logistics. They also designed a media strategy to inform local radio and television stations, as well as local newspapers about the march.

In August 2007, the Rainbow Executive Committee members and DAG project coordinators met with the ministerial representative who received their memorandum. He requested that Rainbow and DAG submit another memorandum to set out the Department's interactions to date with Rainbow, to make an inventory of the possible sites and buildings identified thus far, and to identify 'problem areas'. He emphasised the fact that the National Department of Housing was 'not responsible for giving houses, but for policy formulation' and that he was unable to make any promises as he operated within certain constraints. Rainbow and DAG delivered the document as requested, but received no response from the National Minister's office. Since then, both the Minister and the official have left the National Department of Housing.

In 2007, an ANC constituency office in Cape Town, which also supported one of the other two Cape Town-based domestic worker organisations, asked DAG to clarify housing issues in the Cape Town CBD area and environs. They were responding to requests from lower-income people, including gardeners and domestic workers, who approached the constituency office on a daily basis with enquiries about affordable rental housing close to their places of employment. This culminated in a meeting initiated by the constituency office with the Chairperson of the Portfolio Committee in Parliament and was attended by representatives of all three domestic-worker groups. The meeting, entitled Hearing on Women in Housing, also generated no concrete options that benefited the Rainbow Housing Co-operative.

Over the past 14 years, officials and politicians have cited the following reasons for the lack of progress in addressing the co-operative's housing needs:²⁴

- Lack of staff and human resources in government, especially Local Government
- Difficulty within the existing housing financing framework to deliver well-located social housing for households with incomes less than ZAR3 500 per month

- Lack of staff and resources to support co-operatives, especially in the initial stages
- Lack of provision of well-located public rental housing
- Lack of political will to accommodate low-income households in well-located areas
- Difficulty in accessing well-located land and high costs of developing affordable housing that is well-located
- A lack of inter-governmental cooperation.

Other role players and strategies

The media and agenda setting

The *Atlantic Sun* community newspaper regularly reports on the co-operative's activities. A front-page feature article in 2005 publicised the co-operative's work to a much wider audience, including members' employers and local businesses, and provided information on how the co-operative functioned. The article generated interest, especially from employers.

In 2006, DAG received grant funding from the Foundation for Human Rights, the European Union and Cordaid, to host a seminar on World Habitat Day (2 October) to raise awareness of the challenges women face in accessing their housing rights. The intention was to showcase stories from Rainbow and other DAG projects. This platform presented an ideal opportunity for projects such as Rainbow to put their plight in the public domain and to derive hope from other projects. However, few government officials attended. DAG subsequently published a document entitled *Our struggles, our stories, our rights: Reflecting on Women's Access to Housing Rights*.²⁵ Ma Dunyiswa Phephani delivered a testimony of women's struggles on behalf of the co-operative, and was interviewed by radio Zibononle. Over the years, local and national radio stations have interviewed Rainbow Executive Committee members and DAG project coordinators on several occasions.

DAG has also made numerous contributions in the form of articles or letters to the editors of several newspapers. An opinion piece written by DAG on housing and human rights issues related to Rainbow Housing Co-operative was published in *The Cape Argus* in 2007.²⁶

Property owners

In February 1996, domestic workers organised a march and illegally occupied a derelict building in Sea Point. When police arrested the members, the event highlighted Rainbow's attempts to secure affordable and accessible housing. Prior to the occupation, the group has approached the building's owner, the SABC, with a proposal to upgrade the building themselves and rent the units. The SABC was

unwilling to negotiate. In recent years, the group approached the SABC again, as the building remained unoccupied. This included a protest in front of the SABC head office, which the *Atlantic Sun* newspaper covered. To date there has been no progress, and the building has become increasingly dilapidated.

Private sector

Representatives from Standard Bank's head office in Johannesburg (low-income housing division) and a representative from their Cape Town branch attended a 2005 monthly general meeting. The meeting focused on a financial model that they envisaged to develop for Rainbow. It became clear that the bank's role at that stage was to assist Rainbow to manage their personal savings and finance issues on a long-term basis in order to work towards the acquisition of land or a building. From the business plan's survey, the bank expressed concern that not all members were saving, and that monthly savings amounts in general were not sufficient to secure a loan towards the acquisition of well-located high quality housing. The bank stated clearly that it would only be able to assist Rainbow constructively once the co-operative had obtained land or a building from government, had secured housing subsidies and had sufficient savings. The bank's role would then be to ensure that the right savings instruments/products were channelled. The huge rift between the private sector and communities became apparent once again when the bank remarked that the project is 'very grassroots': the bank had different expectations of Rainbow, although Rainbow was well organised and had an impressive and unique history.

DAG's experience and support of the Rainbow Housing Co-operative over the years strongly informed DAG's recent publication *Sustainable medium-density housing: A resource book* (2008).²⁷ Rainbow Executive Committee members were respondents at both the official launch of the book at Constitution Hill in Johannesburg and at a local launch in Cape Town. Executive members used the event as a networking opportunity to garner support. So far, a number of professionals who attended the launches have offered their pro bono support for the group.

Not yet the end of the road

At the beginning of December 2007, spirits were high when the Ward Councillor and an official from the City's Housing Department officially announced at the Rainbow general meeting that the prospect of them obtaining access to Community Residential Units in Sea Point was becoming a reality. The official stated that 'old housing tools [we]re not working for new problems'. Provincial government identified a block of public rental units – the only social housing building in Sea Point that can be converted to CRUs. There was also a space on the property to build additional units of up to five storeys. Units would be two- to three-bedroom flats, and indigent rental could be attached to the programme that would provide secure tenure to otherwise vulnerable

people. Opportunities also exist in the project for employers to contribute and for the co-operative to lease the property from the City. However, the City still needed to obtain in principle commitment from the Department of Public Works.

In August 2009, the Ward Councillor, the chairperson of the City's Housing Portfolio committee, and an official from the City's Housing Policy and Research branch, made encouraging announcements at the co-operative's general meeting. They promised to explore ways to transfer the ownership of the property from Provincial to Local Government, to renovate and extend the building, to set up a trust on behalf of the co-operative, and to amend the City's housing policy to prioritise access to rental accommodation to people who live in the area. The City's willingness to deal creatively with issues of housing and land encouraged both DAG and co-operative members. Discussions between Rainbow and the City are ongoing, but without Rainbow's constant pressure on the officials, things generally move very slowly.

Conclusion

The NGO sector has undergone tremendous changes since 1994 because foreign donor funding has moved from NGOs to government coffers. However, NGOs continue to play a major role in many government programmes and are able to address the needs of the very poor and pioneer innovative approaches where government bodies are unable to do so. The Department of Housing in a review of housing expenditure said:

... In recent years, the number of NGOs that are active in the housing sector has declined, mostly as a result of declining levels of donor funding. In 2005, the Urban Sector Network was dissolved and many of its former affiliates have since been disbanded. This reduces institutional capacity in the sector and weakens housing delivery outcomes because of the absence of advocacy and community consultation capacity.²⁷

In 2008, because of these funding constraints, DAG (as an international donor-funded organisation) changed its role from providing the Rainbow Housing Co-operative project with support, to that of advocacy partner. However, the absence of appropriate policy and housing instruments to address the needs of low-income households in urban areas forced DAG to lobby more intentionally at a policy level, rather than to continue engaging officials about project-related issues. Furthermore, during the past few years, due to the underlying impasse of South Africa's urbanisation challenges, DAG's organisational strategy has shifted from focusing on access to housing to focusing on access to land.

Rainbow Housing Co-operative's contribution to the affordable inner-city housing and land access debate poignantly demonstrates the schism between government's housing vision, policy intentions and praxis. Rainbow's experience

is hardly surprising, given that unregulated land and property markets exclude the majority of South Africans from accessing adequate housing, and yet go unchallenged by government.

The most important project-level lessons emanating from the Rainbow Housing Co-operative case are that a group of ordinary citizens took responsibility for their housing situation, committed to their organisational vision and structures, continued to fight to realise their rights despite demotivating circumstances, changed tactics and developed leadership skills, and formed strategic partnerships. These are some of the most critical issues relating to empowerment and development.

Procedural and advocacy strategy lessons are harder to extract. Over the years, DAG and the co-operative have devised strategies, executed them, had positive (often short-lived) outcomes (or promises which sometimes counted as positive outcomes), extracted the lessons, improved on them and amended approaches and strategies, and then repeated the cycle – without tangible success (that is, access to affordable and well-located public rental housing). The challenge is not an advocacy one per se, but a systemic one that has bearing on institutional-, political- and policy-related challenges. The foremost lessons are that government policies related to this case (which applies to nearly two-thirds of the South African population in terms of income) are inappropriate, that local government makes a travesty of being ‘developmental’, that inter-governmental cooperation is ineffectual or non-existent, and that officials are seldom held accountable. This irresponsibility and lack of accountability are multi-causal.

Therefore, at an advocacy level, it is not about project-level advocacy strategy lessons, but probably to advocate for transformation of the aforementioned factors – which requires more resources, sophistication, time, patience and commitment.

Notes

- 1 In this chapter, ‘domestic worker’ refers to a person who performs work in and for private households and who generally earns monthly incomes of ZAR3 500 or below.
- 2 Rainbow Housing Co-operative. 2007. Business Plan.
- 3 Magwaza, T. 2008. Effects of Domestic Workers Act in South Africa: a steep road to recognition. *Agenda: A Journal About Women and Gender*, 78: 79–92.
- 4 Rainbow Housing Co-operative. 2007. Business Plan.
- 5 Statistics South Africa. 2001. Census.
- 6 Living in one room with a toilet at the back of an employer’s house, in a room with shared kitchen and toilet in a block of flats, or inside an employer’s house, especially when they are employed for frail care or child minding
- 7 Rainbow Housing Co-operative. 2007. Business Plan.
- 8 Schwabe, C. 2004. *Fact Sheet: Poverty in South Africa*. Pretoria: Human Sciences Research Council. 26 July. <<http://www.sarpn.org.za/documents/d0000990/>> [Accessed 5 March 2005].

- 9 Tonkin, A. 2008. *Sustainable medium-density housing: A resource book*. Cape Town: Development Action Group.
- 10 Ibid.
- 11 Republic of South Africa. 1996. *Constitution of the Republic of South Africa* (Act No. 108 of 1996).
- 12 In a landmark Constitutional Court case, a community of evicted informal settlement dwellers in Wallacedene, Cape Town, challenged the failure of government to provide adequate housing under Sections 26 and 28 of the South African Constitution. As an outcome, the Court ordered that spheres of government 'devise, fund, implement and supervise measures to provide relief to those in desperate need'.
- 13 Republic of South Africa. 1996. *Constitution of the Republic of South Africa* (Act No. 108 of 1996).
- 14 Tomlinson, R., Abrahams, G. and Gildenhuys, B. 2003. *Element 3 – Policy and Research Agenda Report: the Changing Nature of South African Housing Demand*. USAID: Consultants Report Mega Tech Inc.
- 15 *Contextual Analysis*. 2006. Cape Town: Development Action Group.
- 16 *Breaking New Ground: A Comprehensive Plan for the Development of Sustainable Human Settlements*. 2004. Pretoria: Department of Housing.
- 17 Republic of South Africa. 2003. *Draft Social Housing Policy: Towards an Enabling Social Housing Environment in South Africa*: 8.
- 18 Ibid.
- 19 Cohen, R. 2006. Support Programme for Social Housing. Personal communication, April 2006.
- 20 Policy Framework and Implementation Guidelines for the Community Residential Units Programme. *Circular Minute No. 3 of 2007*. Cape Town: Department of Local Government & Housing.
- 21 Housing Finance Resource Programme. 2002. 'An assessment of rental housing in South Africa'. Occasional Paper, (5) prepared by Martin, S. and Matthew Nell & Associates, funded by USAID.
- 22 Social housing is provided through government grants and/or subsidies, as well as private sector contribution (loans secured by the social housing institution).
- 23 Meeting held on 24 July 2006 at the Provincial Government offices in Cape Town. The Director was Dimakatso Sandamela and the Deputy Director Weziwe Xameni.
- 24 Tonkin, A. 2008. *Sustainable Medium-density Housing: A Resource Book*. Cape Town: Development Action Group.
- 25 Brown-Luthango, M. 2006. *Our Struggles, our Stories, our Rights: Reflecting on Women's Access to Housing Right*. Cape Town: Development Action Group.
- 26 Tonkin, A. 2007. The poor too are sick and tired of their lot. *The Cape Argus*, 30 January.
- 27 Tonkin, A. 2008. *Sustainable Medium-density Housing: A Resource Book*. Cape Town: Development Action Group.
- 27 *Contextual Analysis*. 2006. Cape Town: Development Action Group

An interest group at work: Environmental activism and the case of acid mine drainage on Johannesburg's West Rand

Nikki Funke, Shanna Nienaber and Christine Gioia

Interest groups concerned with environmental advocacy focus on creating awareness and disseminating pertinent legal, environmental and social information. Indeed, many activists have been mobilised because of the keen environmental awareness and interest these advocacy campaigns have produced. Naomi Klein¹ writes that these 'oppositional threads' manifest themselves in many different 'forms and movements' and that 'the spirit they share is a radical reclaiming of the commons'.² Some activists may be passive, advocating change from behind their computers, while others are charged and willing to risk their lives for a cause. From the Zapatista movement fighting in the Chiapas forests in Mexico to the offices of Greenpeace worldwide, advocacy is an effective and potent political force.³

From an environmental perspective, South Africa faces many challenges that affect both its ecological biodiversity as well as its socio-economic and sociopolitical security.⁴ One of the most prominent challenges is acid mine drainage (AMD) – a by-product of mining.⁵

This chapter analyses environmental interest groups that campaign on the AMD issue on Johannesburg's West Rand. To contextualise these advocacy efforts, the chapter scientifically outlines why AMD is a fundamental problem and what socio-ecological hazards it creates. Then it describes the legislative context that regulates mining in South Africa before illustrating why the country's environmental advocacy movement is a potential driver for environmental, social, economic and political change. Finally, the chapter profiles the Chief Executive Officer (CEO) of the Federation for a Sustainable Environment (FSE), Mariette Liefferink. A dedicated whistle-blower and AMD activist, Ms Liefferink strongly opposes malpractice by large mining corporations and the South African government. Her advocacy agenda and techniques, as well as her strengths and weaknesses, all describe the climate within which a South African environmental activist operates.

To conclude, the chapter shows where interest groups and activists can improve their AMD advocacy efforts. For instance, environmental advocates might find it useful to network and build solid and mutually beneficial relationships; they might consider approaching a range of potential funders to increase their independence; and they might need to find financial support for further academic and scientific research that can inform the public about AMD and its effects.

The acid mine drainage challenge on the West Rand

Controversy surrounds mining activities worldwide because while mining makes money for investors and governments alike, it also increases socio-environmental hardship and ecological degradation.⁶ Mining affects the environment in a variety of ways. For example, it creates plumes of dust pollution when the wind blows against tailings dumps; it damages the soil by removing topsoil and increasing the soil's acidity and salt content; it contaminates parts of the country's water supply when ground water interacts with chemicals and salts which are part of the mining process; and, when mining-produced acids interact with dolomite formations, sinkholes can occur.⁷

An overview of acid mine drainage

Although there are many sources of mining-related environmental degradation, this chapter focuses on the link between AMD and gold mining activities on Johannesburg's West Rand⁸ because it is widely accepted 'that AMD is responsible for the most costly environmental and socio-economic impacts'⁹ in South Africa.

Simply put, AMD turns water sources acidic.¹⁰ When groundwater refills underground mining shafts, or when runoff water mixes with open pit mines¹¹ or tailings dams,¹² it triggers a chemical process. The chemical process occurs when freshwater and oxygen are exposed to sulphide-bearing strata – the so-called 'pyritic formations' that occur naturally underground¹³ in association with the gold-bearing reefs. The reaction releases acid, sulphate and metal ions that can migrate into the environment and enter freshwater sources.¹⁴

AMD may form in the flooded sections of deep mines. This is not a problem in active mines, which artificially depress water levels through dewatering¹⁵ activities. However, when mines are closed or abandoned, pumping stops. This means that the underground mine shafts fill up with water and eventually discharge into subsurface and/or surface water resources.¹⁶ The discharged water is contaminated and typically acidic due to the chemical reactions described above. South Africa has '8 000 derelict and ownerless mines',¹⁷ while in the West Rand goldfield of the Witwatersrand Basin, some 270 unlined mine tailings dumps have caused extensive soil and water pollution.¹⁸

AMD from gold and coal mining is a serious environmental hazard.¹⁹ Not only does it damage water and soil systems,²⁰ but it also affects human health – particularly in those communities living close to active or abandoned mines.²¹ Unfortunately, the precise effects of AMD on human health are still unclear, and the topic requires further research.²² However, scientists believe that long-term exposure to, and use of, AMD affected water could cause 'increased rates of cancer, decreased cognitive function and [the] appearance of skin lesions'.²³

AMD on the West Rand

Extending from Roodepoort in the east to Randfontein in the west, and including Krugersdorp, the West Rand falls within the greater metropolitan area of Johannesburg. The area to the north is home to some of South Africa's most picturesque natural resources, including the world heritage site, the Cradle of Humankind.²⁴

The gold deposits in the West Rand goldfield have proved difficult to mine because of substantial water inflows from adjacent dolomitic aquifers.²⁵ Therefore, to access the gold, the aquifers needed to be dewatered.²⁶ While this increased mining profits, it modified the water table, caused sinkholes and increased the levels of water, air and soil pollution.²⁷ Mining activity (and dewatering) in the area ceased in 1998, and groundwater began to refill the abandoned mines.²⁸

In 2002, media coverage of AMD-polluted water, and the health risks it causes on the West Rand, fuelled widespread controversy and concern. Investigative journalists have covered the problem from various angles.²⁹ For example, stories explore the effect AMD has on people who use polluted water downstream from mines;³⁰ how farmers who rely on polluted water to irrigate their crops are affected;³¹ the lack of official oversight;³² possible solutions to the AMD issue;³³ society's reactions to the problem;³⁴ and how mines have gained financially by externalising environmental costs.³⁵

However, government's inaction is the primary cause of AMD pollution on the West Rand. It is widely perceived that, by not enforcing legislation, the authorities are essentially ignoring the environmental impact of mining.³⁶

The legislative context within which AMD exists and interacts

Legislation from the mining, water and environmental sectors regulates mining activities in South Africa. According to the Mineral and Petroleum Resources Development Act (MPRDA), the principles set out in Section 2 of the National Environmental Management Act (NEMA) apply to all prospecting and mining operations.³⁷ This means that any prospecting or mining operation must conform to generally accepted principles of sustainable development by integrating social, economic and environmental factors into the planning and implementation of such operations. The NEMA and the National Water Act (NWA) stipulate that a party responsible for a mining operation must take all reasonable measures to prevent pollution or degradation from taking place.³⁸ According to the MPRDA,³⁹ the holder of a mining right or permit is responsible for any environmental damage and pollution as well as rehabilitating the environment affected by mining to its natural state until a closure certificate has been issued.⁴⁰

An applicant for a mining activity-related environmental authorisation must be able to fund the rehabilitation, management and closure of environmental impacts before the Minister of Mineral Resources can issue this authorisation. The holder has to assess the fund annually and adjust it if necessary. The fund has to remain in force

until a mine closure certificate has been issued; the Minister of Mineral Resources may, however, retain a portion of the financial provision to rehabilitate the closed mining or prospecting operation.⁴¹

Implementing this legislation is a vexed task. It is further complicated by the NWA's murky description of fundamental issues such as how high AMD levels are allowed to rise below the surface. Moreover, the lack of official cooperation across national, provincial and local levels of government and their associated departments hampers the process. Also, dealing with the cumulative impacts of mining, which may only become evident decades later, the government and mining companies' reluctance to take responsibility for AMD and related problems, and deciding who should pay the astronomical cost of environmental remediation⁴² are tricky issues to resolve.

Interest groups and environmental activism in South Africa

Given the current predicament, what is the solution? The answer, at least in part, lies with interest groups and the issue advocacy campaigns they conduct, the media and researchers. However, this is easier said than done because mining companies, one of the biggest perpetrators of the AMD problem, are both part of civil society and big (politically and financially powerful) business. The fact that South African society is largely uninformed, disinterested or unfocused on this problem further complicates the matter.⁴³

Nevertheless, environmental advocacy is part of the key solution to eradicating AMD. Environmental activism in South Africa (and around the world) uses a range of activities, including research, violent protest, passive resistance and whistle blowing.⁴⁴ 'The environmental movement has no coherent centre and no tidy margins; it is an inchoate sum of multiple, diverse, uncoordinated struggles and organisations'.⁴⁵

The environmental movement is split along at least two divides. One is the green-brown divide. Green activists tend to focus on nature-related issues such as nature conservation and the welfare of animals, while brown activists campaign against people-related impacts on the environment such as pollution, waste and dumping. Others merge the two perspectives to look at people and resources, production and consumption, and nature and the economy through an 'environmental lens'.⁴⁶

A related, but perceptibly different issue is the growing divide between environmentalism and environmental justice. While environmentalism has historically focused on conserving threatened plants and animals, the environmental justice movement advocates action that is morally correct, rather than legally, scientifically or pragmatically possible. This implies that issues of social justice, health, labour and development should be considered in relation to the environment.⁴⁷

South African environmental advocacy, particularly campaigns that focus on AMD, falls within this diverse and complex discourse. Its efforts are important for at least three reasons.

First, and put so aptly by Bryan Walsh,⁴⁸ ‘... the earth is mute. It doesn’t get a vote in any congress or parliament. It doesn’t own blocks of shares in the market. It doesn’t rise up in a protest rally. It can’t even buy a hybrid car. The earth has no voice – so someone must speak for it ...’

Second, the people most directly affected by environmental problems and specifically AMD are the poorest and least powerful groups in society.⁴⁹ Mine closures affect these people by causing unemployment and polluting their soil and water supply. This makes subsistence farming, which is often a last resort for poor families, less feasible.⁵⁰ It is crucial that the poor be able to voice their concerns and learn about the risks to which they are exposed.⁵¹

Finally, civil society’s role is to challenge the government when it does not adequately fulfil its obligations. For decades, South African governments have shirked their responsibility to regulate the mining sector.⁵² This lack of oversight can largely be attributed to an alliance between the gold mining industry and the government that emerged during Apartheid.⁵³

Nevertheless, there are environmental non-governmental organisations (NGOs) that do have an indirect focus on environmental remedial protection in the West and Far West Rand. These include the Chronicle Group, Green Cross, Groundwork, the Legal Resources Centre (LRC), Pelindaba Working Group, Wildlife and Environment Society of South Africa (WESSA) and Earthlife Africa. To varying degrees, these organisations research and report the government and mines that are allowing mining-related environmental destruction to continue.⁵⁴ Infractions can be reported through official channels such as the Parliamentary Portfolio Committees, the Human Rights Commission and the Public Protector; or through non-official channels such as the media, mining companies themselves, and individual government representatives. In addition to these NGOs, the media and epistemic community also focus on AMD extensively by writing newspaper reports, screening television programmes (for example *Carte Blanche*), and focusing research projects on furthering knowledge about the problem.

Elize Van Eeden⁵⁵ suggests several factors that have assisted AMD activism in South Africa. For instance, more South Africans are aware about the need to preserve the environment. The political environment in the country has also changed and the Constitution protects environmental and socio-economic rights. This means that reporting offences via the channels mentioned above is now a realistic option for activists.

Unfortunately, despite the presence of a lively activist culture, many challenges remain. First, the mining-focused environmental activist, Mariette Liefferink, is a member of most of the aforementioned NGOs. Ms Liefferink is essentially the sole activist focusing on the AMD issue, and uses her memberships to advocate for a solution to AMD. This means that Ms Liefferink is stretched very thin as she does not have a group of people working with her and sharing her passion and cause. Second,

many of these NGOs are reluctant to bite (report or criticise) the hand (in this case often mines and government) that feeds them.⁵⁶ Put simply, it is hard for NGOs to be adequately critical of mines and government when these very actors provide the funding necessary for their survival. Third, government and wealthy industrialists, in reality, still have more power to regulate policy and its implementation than the media, smaller political parties, individuals and activists despite the country's liberal constitutional framework.⁵⁷

Clearly, this context affects how an AMD activist, such as Ms Liefferink, and advocacy campaigns in general must operate.

Acid mine drainage advocacy on the West Rand

Advocacy on the West Rand gold fields is primarily oppositional activism – it is highly critical of the damage that multinational corporations (MNCs) cause to the poor and to the environment. Driving the campaign is Mariette Liefferink, CEO of the Federation for a Sustainable Environment (FSE). The FSE is a leading national public benefit, non-profit NGO that aims to promote the ecological sustainability of development and the wise use of natural resources in South Africa. The interest group affiliates with other national and internationally concerned NGOs and community groups, such as the World Information Service on Energy (WISE), International Women and Mining Network, Stichting Onderzoek Multinationale Ondernemingen (SOMO), Earthlife Namibia and South Africa, Groundwork, Jubilee, Benchmarks, WESSA, Endangered Wildlife Trust (EWT), and Action Aid.⁵⁸ In addition, public-interest law firms such as the Legal Resources Centre (LRC) assist Ms Liefferink with applications against transgressor corporations or organs of state. She also participates in research projects funded by the North-West University and the Centre for Applied Legal Studies (CALS) at the Wits School of Law. Ms Liefferink is also on the Board of the National Nuclear Regulator (NNR) and is part of the implementation task team for the remediation of the West Rand gold fields.⁵⁹

Advocacy agenda

The FSE's advocacy holds the government accountable by publicising the government's inability to manage gold mining in South Africa; exposing mining companies for any infractions they commit; raising public awareness; and pressurising both the government and the mining sector to remediate environmental damage caused by mines on the West Rand.⁶⁰

As CEO, Ms Liefferink, is particularly interested in the disempowered and vulnerable people who live on land close to mining operations and who cannot defend themselves against AMD and other pollution caused by mines.⁶¹ Ms Liefferink's work advocates environmental and social justice, morality and equity, and takes the moral high ground. She is intent on building capacity and informing the disempowered,

marginalised, disadvantaged and vulnerable members of mining communities through community involvement and participation.⁶² Her optimism drives her, as does her very strong desire to make a difference despite the challenges she faces daily.⁶³

Advocacy techniques

The FSE's advocacy strategy typically starts with a request to a gold mining company active in the West Rand gold fields for their approved Environmental Management Programmes (EMPs). These EMPs, which are legally binding documents, are used to evaluate the company's environmental performance and management. In addition, evidence is collected from the mining sites in the form of photos, anecdotes, documents and testimonies from affected landowners and occupiers of land. The FSE then reports any perceived infractions to the relevant state departments and asks them to regulate the offending mining companies. Then, these infractions together with photographic and documentary evidence are disclosed to the news media.⁶⁴

The FSE's strategy is based on years of collecting scientific, academic and official reports⁶⁵ and on gaining information directly from primary sources such as miners, local people, farmers, environmentalists and the government.⁶⁶ As FSE's CEO, Ms Liefferink's role is to disclose controversial information to the public and pressurise the state to act on the findings and recommendations of these reports.⁶⁷

Ms Liefferink interacts with the government through official channels. For instance, she makes oral and written submissions to Parliamentary Portfolio Committees, the Human Rights Commission, the Public Protector, lobbying, petitions and picketing.⁶⁸ Furthermore, through her position on the NNR board, Ms Liefferink has access to confidential reports. When they contain information that potentially threatens the public interest, Ms Liefferink is legally entitled to publicise the report's contents using her media, political party and trade union contacts.⁶⁹

Several mining companies fund the FSE's AMD advocacy work ostensibly because they want to educate people living close to the mines about the health, environmental risks and dangers of mining. Ms Liefferink uses these funds to conduct household surveys, distribute pamphlets and brochures, and host fully catered workshops at which she presents some of the serious and frightening realities of AMD.⁷⁰ She makes use of field workers from the communities concerned, who are fluent in the local language and can translate where necessary. Most of the community members are literate and give meaningful and intelligent comments, with a considerable depth of understanding and insight. The community members also make proposals on how to improve their situation; however, it is only the government or the mining companies that have the financial resources to implement change.⁷¹

Ms Liefferink's work also raises the public's awareness about AMD and other pollution caused by mines. She does so through workshops, presentations at schools, interviews with interested parties, organising tours of the West Rand, community meetings, and attending conferences and seminars. The government's lack of interest

and its inability to hold mining companies responsible for their actions are two of her most powerful tools. She has also appeared on numerous investigative television programmes and the media periodically cover her activities and comments.⁷²

Typically, Ms Liefferink gives the mining companies three days' warning before going public with the information she has⁷³ in an effort to maintain her legitimacy with them.

Ms Liefferink, who acts mostly on her own, works very hard to convey her message and to help alleviate the effects of AMD on the West Rand. Her brand of activism has both strengths and weaknesses, and while she has achieved successes, she is faced with several challenges.

Strengths and successes

Ms Liefferink's activism goes beyond protecting the environment for the environment's sake and focuses on the effects environmental damage has on the public's health and wellbeing. Given that the Constitution gives South Africans the right to a healthy and safe environment,⁷⁴ Ms Liefferink believes that abusing the environment means gross human rights abuses.⁷⁵ This argument forces the government to listen to her.

Apparently, Ms Liefferink bears no malice towards anyone and does not act to support a political or commercial agenda. In fact, her advocacy does not favour any one race or culture and she is proud of her work's transparency. Ms Liefferink believes that this openness and honest intent has prevented her from being sued.⁷⁶ Instead, it forces the government to pay attention to her and makes it very difficult for people to discredit her.

Ms Liefferink is also very good at framing the problems she campaigns against. Even though the toxicity levels in the West Rand are much higher than the levels of radioactivity, she has learnt to emphasise the risk of radioactive pollution, because it taps into the public's general understanding of environmental pollution, thanks to the media coverage of incidents such as the nuclear disasters at Hiroshima, Nagasaki and Chernobyl.⁷⁷

FSE's advocacy strategy has achieved a number of successes, especially for the radiological contamination-related AMD issues. In 2008, Ms Liefferink's advocacy produced a Remediation Action Plan (RAP) for the Wonderfontein Spruit Catchment Area (WCA), the accompanying Public Involvement and Participation (PIP) process, and the establishment of the Wonderfontein Regulators Steering Committee (WRSC). This committee, which consists of officials of all relevant government departments and local municipalities, is responsible for steering the remediation process. It is chaired by the NNR and now strictly controls discharges from the mines.

The Department of Water Affairs (DWA) is also trying to ensure that all water use licences are issued to mines as soon as possible in an attempt to stop the contamination of the Wonderfontein Spruit. In addition, a Team of Experts (TOX) was appointed by the DWA and the NNR to identify priority hotspots and the mines were approached

to finance the remedial work required by the TOX's findings. The plan to remediate the Wonderfontein Spruit is currently being drafted and remedial actions will start as soon as possible. The whole process relies on the public's participation to ensure that their interests are represented.⁷⁸

In addition, the DWA as part of the Government Task Team on mine closure and water management, together with mining companies, have agreed on a model to deal with AMD's impacts on the Vaal and Crocodile River systems. This model will have the following key elements:

- 'Mine water collection and conveyance to a central point
- Development of new infrastructure and refurbishment of existing infrastructure to facilitate the collection and treatment of mine water
- Treatment of the mine water which addresses low pH, high levels of metals and salinity
- Encouraging re-use of treated mine water
- Discharge of treated mine water to meet Resource Quality Objectives, and
- Augmentation of stressed river systems.'⁷⁹

It also appears as if the government is increasingly acknowledging the severity of the AMD problem. The Minister of Water Affairs, Ms Buyelwa Sonjica, in the National Assembly Budget Vote Speech No. 37 on 15 April 2010 stated, 'There is a big problem of acid mine drainage in the Witwatersrand area which threatens our ground water resources and the very integrity of the environment and human survival. Even the famous Cradle of Humankind, a world heritage site, is under threat. We are currently engaged with short-term interventions to alleviate the worst effects, but the time has come for those responsible to account for their actions.'⁸⁰ Although the government is not yet pledging enough financial support to resolve the AMD problem, it is nonetheless a positive development to see it finally acknowledging the seriousness and urgency of the situation.⁸¹

Gold mining companies are also sponsoring FSE's education and awareness campaigns; although this support is limited to the workshops Ms Liefferink hosts and therefore does not significantly assist her with her advocacy efforts. Apparently, they realise that activists are both watchdogs and partners that guarantee companies keep their obligations and responsibilities and take full account of the local community's needs and expectations.⁸²

Additionally, the FSE's advocacy campaign has influenced significant policy changes. The promulgation of the National Environmental Management Amendment Act, which allows for the retrospective application of the polluter pays principle,⁸³ is a perfect example.

These developments demonstrate that the government, mining companies and other stakeholders are aware of FSE and Ms Liefferink's efforts. These actors have also

committed themselves to trying to address the AMD problem and have pledged much needed financial resources. Where previously the government tried to ignore or wish away the negative impacts of mining, Ms Liefferink's use of scientific information to support her advocacy tactics has increased the media's awareness of the AMD issue. This in turn has increased public awareness and pressure on the key players to act on the problems in the West Rand.⁸⁴

Ms Liefferink has also made a name for herself with the media over the last seven years – representatives of both the national and international media frequently approach her for interviews. And although media reporters sometimes misquote her, she is still satisfied that they cover the gist of her message⁸⁵ with the necessary urgency. Indeed, the science supporting her statements and media releases encourages journalists to dig deeper and approach government officials to respond.

Weaknesses and challenges

The FSE and Ms Liefferink have achieved much during their relatively brief advocacy campaign. However, they still face considerable challenges. Perhaps the most important one is funding. Currently, the FSE relies on money from mining companies to operate. This money gives the FSE a measure of credibility but it also means that the mining companies can, in the case of an accident, state that they paid the FSE to inform people about the dangers of mining and that this should have helped prevent any accident from taking place. Ms Liefferink is, therefore, in the uncomfortable, and some would say unethical, position of accepting money from the very actors whose irresponsible behaviour she is trying to expose. Also, the fact that some mining companies pay her a stipend but do not expect anything in return could be interpreted as an incentive to keep her from exposing them.⁸⁶

However, the FSE's lack of funding severely restricts their advocacy efforts. Additional funding could help Ms Liefferink take offending mines to court. She could also use additional funding to reach an even wider audience and could possibly even start employing people to work with her. Ms Liefferink's stand-alone efforts and fierce independence may be one of the reasons why she finds it difficult to mobilise more funding. She also states that it is very difficult for her to raise additional funds because of human resource and time constraints. Another issue is that NGOs seem to be competing for funds rather than working together, which complicates the fundraising process. Ms Liefferink has recently received two Global Green Grants and been nominated for a highly prestigious international award, which could help support her cause financially.⁸⁷

Ms Liefferink is also concerned about how apathetic South Africans are and wishes that people would take a more active interest in their environment and government. In her campaigning, she emphasises the concept of 'we' because she needs the public to rally behind her and to take ownership of the AMD issue. The reality is, however, that her advocacy campaign relies on her to maintain its momentum.⁸⁸

It is also disconcerting that Ms Liefferink's findings and appeals appear predominantly in the middle-class media and therefore target a narrow population. Moreover, the media often misquote Ms Liefferink's scientific information. At times, what appears in the media is no longer scientifically accurate or simply quoted out of context. It is difficult to ascertain exactly why the quality of media reporting around this topic is, at times, inaccurate. A significant part of the problem is that this issue is highly complex. If scientists themselves are still struggling to come to grips with the dimensions and nature of the AMD challenge, it is not surprising that civil society and specifically journalists are going to struggle to paint an accurate picture of the problem.

Another challenge for the FSE and Ms Liefferink is the government's continued inability to hold mining companies responsible for their actions. Although Ms Liefferink has managed to put AMD on the political table and convince the government and mining companies to increase their remediation efforts, two-and-a-half years later the situation has still not improved. It appears that in practice, despite growing rhetoric about commitment to change, the government is still unable to cooperate with the mining sector on AMD because many mining companies refuse to accept responsibility for this and other mining-related environmental problems. Furthermore, none of the gold mining companies operating on the West Rand operates according to an approved aligned EMP in terms of the MPRDA. Given this context, efforts such as establishing the WRSC in 2008 to steer the remediation process and to approach the mines to contribute financially towards the remedial work have only been marginally successful.⁸⁹

An additional problem is the legacy of mines that are no longer operational. According to DWA guidelines,⁹⁰ the goal of water treatment post-mine closure is to end up with no residual impact. This implies that the mine must fund water treatment programmes until the impact has been eradicated which may not be for hundreds of years. The problem is that very few mines can sustain the cost of treating mine water for an extended period and often only plan for two or three years of after-closure remediation costs,⁹¹ which is not environmentally sustainable. In addition, according to an official statement by the Department of Mining (DoM), there are currently approximately 8 000 derelict and ownerless mines in South Africa, none of which were asked to fund environmental remediation programmes. The environmental impact of these mines could take 800 years to rehabilitate at a current cost of ZAR100 billion.⁹²

The scale and cost of remediation are staggering. It is, therefore, not surprising that the government and mining companies are shying away from this responsibility as the cost of remediating negative environmental impacts far outweighs the profits derived from mining. A further problem is the fact that, given the high unemployment rate in South Africa, gold mining takes priority over environmental protection because it is a job-intensive sector. Added to that, multinational mining companies are powerful actors with considerable economic and legal resources at their disposal. This makes it difficult for anyone, be it the government or an NGO, to oppose them.

Conclusion

This chapter has clearly illustrated that AMD on the West and Far West Rand in Johannesburg is a severe environmental and social concern that demands urgent attention. Interest groups and environmental activists have a critical role to play in encouraging and lobbying government and mines to take responsibility for and act on this issue.

AMD activists have a mixed record of successes and failures.⁹³ They face a mammoth task, given the severity of the existing environmental problem and the complex sociopolitical environment within which this issue exists. As is so often the case with complex issues, there are no clear answers about how to make AMD advocacy easier or more effective. Nonetheless, here are some recommendations.

The importance of networking

AMD-focused networks need to be diverse and operate with flexibility.⁹⁴ Networking needs interest groups to build stronger alliances between themselves (both within and beyond South Africa's borders) to promote their ability to grapple with the AMD issue and influence public opinion. Networking also needs to increase between interest groups and communities (including schools, local leaders and labour unions), and between interest groups and mines, government and civil society.

Networking is important for a number of reasons. First, complex policy issues, such as AMD, require a complex or trans-disciplinary spectrum of actors to respond to the issue.⁹⁵ AMD needs policy makers, scientists, miners, farmers, local communities, interest groups and activists to come up with solutions that are appropriate, pragmatic and sustainable over a long period. Second, networking builds trust, promotes understanding between different actors and the public, and provides a supportive framework from which to respond to difficult issues.⁹⁶ Third, networking offers 'power in numbers'.⁹⁷ This is not a battle that can be won by a lone voice. To be realistic, its solution must acknowledge that any challenge to the powerful profit-driven mining sector and a government that benefits from the sector's profits is going to be a prolonged and difficult battle. Finally, AMD requires long-term advocacy because it threatens future generations for centuries to come. And to effectively influence the public's opinion of AMD and keep the issue on the public's agenda require a solid and sustainable network of groomed activists. A constructive and affordable solution may be to offer students internships. Besides giving organisations much needed administrative and technical assistance, internships will also help groom young people to further the cause in their work and careers.

However, networking does come with a few drawbacks. Large and diverse networks have to balance the priorities and interests of their different actors.⁹⁸ For example, mining companies must generate a profit, governments want to persuade voters and are largely driven by votes, and poor, impacted communities simply want

to survive on a daily basis. Similarly, diverse networks must cope with each actor's perspective and timelines. For example, gold mines work according to a 40-year period because that is when the gold stores will run out, governments think in five-year stretches between election cycles, and scientists tend to research both long- and short-term AMD challenges. Such large networks also mean that actors with very different working styles have to cooperate. For instance, activists and the media tend to latch onto issues that are sensational to gain public sympathy, while scientists tend to be more accuracy driven as their career credibility depends on this. This dynamic may be part of the reason why scientists are reluctant to release their findings and communicate with media and activists.⁹⁹

Find funding that 'sets you free'

South African AMD environmental advocacy is in an interesting and somewhat compromising position. Much of its activism is funded by the very people that must be held accountable; that is, government and the mining industry.¹⁰⁰

Of course, if it was easy to 'get funding from somewhere else', Mariette Liefferink and others would have already done so. The fact that South Africans are largely disinterested in environmental activism¹⁰¹ makes it particularly difficult to raise funds from citizens. Nonetheless, AMD activists must become less dependent on funds from government and mining companies.

Funding could be sourced by forging partnerships with larger and well-funded interest groups and international NGOs, collaborating with local NGOs and pooling available funds to campaign for a certain issue, or trying to diversify one's funding base by approaching multiple mines, governments and concerned civil society actors to contribute to a dedicated advocacy campaign budget.

Enhance information and its dissemination

Current research on AMD is limited and must be encouraged. From a scientific perspective, there is still much to learn about how to respond effectively to the AMD issue in the long term and about the long-term health and environmental effects that AMD pollution can cause.¹⁰²

However, there are not only gaps in the science about AMD; there is also considerable ignorance, misperception and miscommunication about the AMD risks, realities and challenges that scientists have already ascertained. For example, people are unsure which specific areas AMD can and does affect; the risks related to their property and land-use activities; the people they should contact to gain more detailed information about the issue; and the degree of the threat facing them. Ms Liefferink¹⁰³ argues that there is generally very little information and awareness about AMD and the risks associated with it. And, as Philip Hobbs¹⁰⁴ suggests, this information, especially in the form of newspaper articles, is often either poorly substantiated or simply inaccurate.

South Africa needs an AMD education strategy that targets multiple stakeholders. Current efforts need to be extended and presented in a language that is convenient for local communities who live alongside AMD polluted water. Ms Liefferink simply cannot reach all affected communities on her own.

On a different level, the media need to provide accurate coverage of the AMD issue to avoid misperceptions and unnecessary panic. The media need to stop sensationalising mining and government successes and failures, and begin to link complex issues. For example, their stories could balance mining's importance to the national economy with the environmental crises and the need for mines to be more responsible and attuned to issues of environmental and social justice.

That said, the media does need stories that will sell.¹⁰⁵ Given this reality, activists need to consider using new communication tactics. Options such as specialist monthly bulletins, open community information-sharing sessions with scientists and mass e-mail may be a way to encourage AMD awareness. A recent meeting of concerned stakeholders in Delmas highlighted the need for an information-sharing platform to discuss the need for accurate information about AMD and to promote issue-specific networks.¹⁰⁶

The challenges posed by AMD in the complex political-economic environment of the West Rand are enormous. Despite this, the battle to make mining companies and the government take responsibility for this issue must continue in order to secure an environment in which society can continue to flourish long into the future.

Notes

- 1 Klein, N. 2001. Reclaiming the Commons. *New Left Review*, 9:82.
- 2 'Commons' in the context of Klein's work refers to 'our communal spaces' such as 'town squares, streets, schools, farms, plants' (Ibid:82).
- 3 Wapner, P. 1995. Politics Beyond the State, Environmental Activism and World Civic Politics. *World Politics*, 47(3):313.
- 4 Adler, R., Claasen, M., Godfrey, L. and Turton, AR. 2007. Water, Mining and Waste: An Historical and Economic Perspective on Conflict Management in South Africa. *The Economics of Peace and Security Journal*, 2(2):33–41.
- 5 Gray, NF. 1997. Environmental Impact and Remediation of Acid Mine Drainage: A Management Problem. *Environmental Geology*, 30(1/2):62–71; Rösner, T. and van Schalkwyk, A. 2000. The Environmental Impact of Gold Mine Tailings Footprints in the Johannesburg Region, South Africa. *Bulletin of Engineering Geology and the Environment*, 59(2):137–148; Kingsley, S. 2004. The Price of Gold. *Ethical Metal Smiths Web Page*. [Accessed 2 June 2010.] Available at: <<http://www.ethicalmetalsmiths.org/ThePRICEofGOLD.pdf>>; Naicker, K., Cukrowska, E. and McCarthy, TS. 2002. Acid Mine Drainage Arising from Mining Activity in Johannesburg, South Africa and Environs. *Environmental Pollution*, 122(1):29–40; Akcil, A. and Koldas, S. 2006. Acid Mine Drainage (AMD): Causes, Treatment and Case Studies. *Journal of Cleaner*

- Production*,14(12–13):1139–1145; Adler, R., Claasen, M., Godfrey, L. and Turton, AR. 2007. Water, Mining and Waste: An Historical and Economic Perspective on Conflict Management in South Africa. *The Economics of Peace and Security Journal*, 2(2):33–41; Oelofse, SHH., Hobbs, PJ., Rascher, J. and Cobbing, JE. 2007. The Pollution and Destruction Threat of Gold Mining Waste on the Witwatersrand, a West Rand Case Study. *Natural Resources and the Environment Department*. Pretoria: CSIR: 617–627; Bebbington, A., Hinojosa, L., Humphreys-Bebbington, D., Burneo, ML. and Warnars, X. 2008. Contention and Ambiguity, Mining and the Possibilities of Development. *Brooks World Poverty Institute Working Paper* (57). University of Manchester: 887–914; Funke, N., Nortje, K., Rascher, J. and Turton, AR. 2008. The Evolution of Water Governance in South Africa: Lessons from a Resilience Theory-Based Analysis of the Khoisan and Gold Mining Social-Ecological Systems. in *Advancing Sustainability Science*, edited by M. Burns and A. Weaver. Stellenbosch: Stellenbosch University Press:146–166; Holden, WM. and Jacobsen, RD. 2008. Civil Society Opposition to Nonferrous Mining in Guatemala. *Voluntas: International Journal of Voluntary and Nonprofit Organisations*,19(4):325–350; Turton, AR. 2009. South African water and mining policy: a study on strategies for transition management. in *Water Policy Entrepreneurs: A Research Companion to Water Transitions Around the Globe*, edited by Huitema, D. and Meijerink, S.. Cheltenham and Northampton M.A.: Edward Elgar Publishing: 195–215.
- 6 Bebbington, A., Hinojosa, L., Humphreys-Bebbington, D., Burneo, ML., Warnars, X. 2008. Contention and Ambiguity, Mining and the Possibilities of Development. *Brooks World Poverty Institute Working Paper* (57). University of Manchester: 889.
 - 7 Hobbes, P. and Ashton, P. 2010. *Conversation with Phillip Hobbes and Pete Ashton*, 11 October.
 - 8 Thompson, JG. 1980. Acid Mine Waters in South Africa and their Amelioration. *Water S.A.*,6(3):132; Gray, NF. 1997. Environmental Impact and Remediation of Acid Mine Drainage: A Management Problem. *Environmental Geology*, 30(1/2):63; Johnson, DB. and Hallberg, KB. 2005. Acid Mine Drainage Remediation Options: A Review. *Science of the Total Environment*, 338(1–2):3.
 - 9 Oelofse, SHH., Hobbs, PJ., Rascher, J. and Cobbing, JE. 2007. The Pollution and Destruction Threat of Gold Mining Waste on the Witwatersrand, a West Rand Case Study. *Natural Resources and the Environment Department*. Pretoria: CSIR: 617.
 - 10 Johnson, DB. and Hallberg, KB. 2005. Acid Mine Drainage Remediation Options: A Review. *Science of the Total Environment*, 338(1–2):3.
 - 11 Johnson, DB. and Hallberg, KB. 2005. Acid Mine Drainage Remediation Options: A Review. *Science of the Total Environment*, 338(1–2): 4.
 - 12 Tailings are the residue of the milling process used to extract metals of interest from mined ores or to clean coal. During this process, ores are milled and finely ground, and then treated in a flotation and/or hydrometallurgical plant. The extracted metal represents a small percentage of the whole ore mass, so the vast majority of the mined material ends up as finely-ground slurry. Tailings contain all other constituents of the ore except for the majority of the extracted metal. These consist of heavy metals and other substances at concentration levels that can be toxic to biota in the environment. Moreover, tailings contain the chemicals added during the milling process, although these levels and types are generally not of major concern. After

milling, these contaminants are better available for dispersion into the environment than in the original ore because of their finer particle size and higher surface area. Furthermore, the mechanical stability of the tailings mass is poor because its small grain size and high water content <<http://www.mining.ubc.ca/faculty/meech/MINE290/Tailings%20Dam%20Construction%20Methods.pdf>>.

- 13 Oelofse, SHH., Hobbs, P.J., Rascher, J. and Cobbing, J.E. 2007. The Pollution and Destruction Threat of Gold Mining Waste on the Witwatersrand, a West Rand Case Study. *Natural Resources and the Environment Department*. Pretoria: CSIR: 618.
- 14 Whitehead, P. and Jeffrey, H. 1995. Heavy Metals From Acid Mine Drainage: Impacts and Modelling Strategies. *Man's Influence on Freshwater Ecosystems and Water Use*. IAHS. (23): 55; Rösner, T. and van Schalkwyk, A. 2000. The Environmental Impact of Gold Mine Tailings Footprints in the Johannesburg Region, South Africa. *Bulletin of Engineering Geology and the Environment*, 59(2):138; Razo, I., Carrizales, L., Castro, J., Diaz., B.F. and Monroy, M. 2003. Arsenic and Heavy Metal Pollution of Soil, Water and Sediments in A Semi-Arid Mining Climate in Mexico. *Water, Air and Soil Pollution*, 152:146; Johnson, DB. and Hallberg, KB. 2005. Acid Mine Drainage Remediation Options: A Review. *Science of the Total Environment*, 338(1-2):3-4; Akcil, A. and Koldas, S. 2006. Acid Mine Drainage (AMD): Causes, Treatment and Case Studies. *Journal of Cleaner Production*, 14(12-13):1140.
- 15 Dewatering refers to the process of removing water from solid material or soil. In mining it involves draining water from the mine shaft so as to access underground mineral deposits. Morton, LK. 1993. A Phased Approach to Mine Dewatering. *Mine Water and the Environment*, (12):30.
- 16 Johnson, DB. and Hallberg, KB. 2005. Acid Mine Drainage Remediation Options: A Review. *Science of the Total Environment*, 338(1-2):4.
- 17 Turton, AR. 2009. South African Water and Mining Policy: A Study on Strategies for Transition management. in *Water Policy Entrepreneurs: A Research Companion to Water Transitions Around the Globe*, edited by Huitema, D. and Meijerink, S.. Cheltenham and Northampton M.A.: Edward Elgar Publishing: 196.
- 18 Ibid.
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Managing campaigns to influence the public policy agenda: Putting theory into practice

Rick Farmer

In sports, victory begins with a game plan that honestly assesses and matches both teams' strengths and weaknesses against each other. The coach looks for opportunities, maps out a strategy and several different tactics, and prepares the team accordingly. In business, a comprehensive plan is the key to attracting willing investors. In sales, a successful marketing plan identifies the most cost-effective ways to communicate with a targeted audience. Similarly, interest groups need a solid campaign plan to manage a persuasive advocacy campaign.

For interest groups pursuing an advocacy initiative, a solid campaign plan includes several interrelated components. For instance, it requires an analysis of the past and current policy environment, a suitable political strategy that assesses and targets appropriate communities and legislators, a multifaceted set of communication tactics and a suitable budget to accommodate all of the above. While other chapters in this book provide a detailed theoretical analysis about interest groups and their political activities, this chapter will describe how South African interest groups can convert this theory into campaigns that influence the public policy agenda. In essence, this chapter outlines the various components of a solid campaign plan, discusses how the plan can keep an initiative focused and, in the tactical sections, offers some useful tips for advancing a policy idea.

Legislators and groups: Understand their motives

Planning an issue advocacy campaign must begin by assessing the target audience – namely politicians – understanding what motivates them, and using this information to determine the best method of persuading them.

Politicians are naturally ambitious people motivated by gaining power and then doing everything possible to keep it. For members of the US Congress and the South African Parliament alike, this means running a successful re-election campaign or rising to a more powerful office.¹ And despite the negative associations this ambition tends to conjure, it can nevertheless be healthy for political systems – especially when it drives important initiatives.

Theoretically, a politician's desire to remain in power means that they are likely to respond to the people who put them in power; that is, the opinions of their voting constituents. For instance, in the US direct representation system, constituents can,

and often do, influence public policy by expressing their preferences to elected political leaders. Even in South Africa, despite the ruling party's overwhelming majority and evidence that election campaigns tend to ignore public opinion, the ANC's leadership still spends vast sums to rally for their constituents' support in order to retain their party positions.²

However, an individual constituent will struggle to get their representatives' attention. While it is certainly possible to write a letter or e-mail an elected official, a lone voice rarely prompts action because a single constituent is no real threat to a legislator focused on staying in power. Therefore, to make a valuable impact, the constituent must first suggest a balanced proposal – one that considers other constituent preferences and assesses how the proposed policy may affect all concerned – and then coopt a large number of constituents to endorse the proposal's provisions. Constituents with likeminded preferences are much more effective when they band together and speak with one voice. This is why interest groups are so powerful.

A series of television advertisements run by the American Association of Retired People (AARP) in 2003 illustrates this point perfectly. In each spot, a single person walks into a room with a powerful decision maker and makes a simple request – in one advertisement the person asks the decision maker for less expensive prescription drugs. The decision maker then agrees to change the policy, the person then says thank you and leaves the room. Each advertisement ended with a voice saying: 'If one person could do it alone, the world would not need AARP.'

That is not to say that one person cannot change things in a democracy; rather, one person is more effective when they join forces with others seeking the same goals. Nelson Mandela and Barak Obama, for instance, are individuals who have forced change, but neither has done so alone. Instead, they represented a group of many voices and each voice makes a difference simply by being a part of the group.

In addition, a successful advocacy campaign must also link the campaign and its objectives to a politician's needs. In other words, if the politician recognises that achieving his or her goal (remaining in power) depends upon helping the group achieve its goal (a change in public policy), then both the policy maker and the group can be successful.

Maximising grassroots issues and support

In theory, grassroots advocacy ensues when one of three circumstances arises: public pressure is needed to move stalled legislation; a policy proposal is being initiated and public support needs to be demonstrated; or when an issue advocacy group needs to reinvigorate its core supporters and donors.³

In the first instance, a group lobbies for a policy proposal whose legislative passage seems to have stalled. Here, the group asks its grassroots base to contact their legislator (or a group of legislators) through letters, postcards, e-mail and/or

via social networking sites, and pressures him or her to move a proposal forward. In the second instance, an organised group may need to create public demand for a policy before the policy starts to take shape in the legislative arena – and vocal public demand is difficult for legislators to ignore. For example, a wildlife group may wish to propose additional protections for a region's indigenous wildlife. Their campaign may begin by urging their members to support the new policy in public fora or they may schedule a mass protest to oppose the current policy. Then, using the power of their large vocal constituency, they can demand that their political leaders pursue alternative policy proposals that reflect their wishes. South African interest groups, like Cosatu, are particularly adept at this strategy, relying on media coverage of their 1,8 million protesting members to promote their agenda and thereby shift political and public policy decisions.⁴

Finally, and perhaps the most common use of grassroots advocacy, is to stimulate an interest group's donors and its membership base. In fact, many organisations determine their legislative agenda based on what excites and represents their supporters. And although this can be viewed somewhat cynically, this is an essential part of the political linkage process; hot-button issues serve the interests of both the supporters and the leadership. In such instances, campaigns try to lobby key legislator/s. However, because direct lobbying is not always successful, new policy initiatives need to make legislators comfortable with their proposals and counter any opponents keen to resist the initiative.

Normally, policy proposals float around the legislature for years before they become a part of the legislative agenda. For example, the campaign to revise health care in the US started as far back as 1993. In 1994, the proposal died because opponents effectively rallied public opposition with a jarring television advertising campaign. Known as the *Harry and Louise* health-care advertisements, each spot depicted a middle-aged family sitting at the kitchen table discussing a different aspect of the proposed policy and worrying about how it would affect them. However, while their efforts were defeated in the early '90s, health-care reformists continued to look for an opportunity to push their policy proposals onto the legislative agenda. And it took some 14 years for the issue to resurface when proponents rallied supporters through the 2008 presidential election campaign. The Rainbow Housing Co-operative's efforts to secure sustainable medium-density housing in Cape Town is another perfect example of the kind of patience an advocacy campaign needs.⁵

Whatever the reason a group decides to 'go public' (to borrow Samuel Kernell's 1997 terminology,)⁶ its advocacy campaign will succeed or fail based on its ability to engage the public. Because theoretically the public's opinion can force legislator/s to pay attention if used correctly and it can also increase an advocacy campaign's ability to promote and change public policy. And given the political climate and the evidence other authors in this book have described, interest groups in South Africa tend to find this particular aspect of an advocacy campaign the most challenging. Therefore, the

strategy and tactics described in this chapter outline how organisations and activists can and have solicited and encouraged significant public support.

Planning for action

An advocacy campaign's success, like a business, depends on its willingness and ability to research and write a comprehensive plan. In theory, a campaign plan must determine the goal, consider the available resources and map a path to the goal within these resources. Of course, if there are no resources, the campaign must either adjust its goal or find additional resources. No plan is complete until the goal, the actions to be taken toward the goal and the resources⁷ needed for these actions have all be reconciled. Most campaigns, like the sustainable housing initiative described in Chapter 9 and the AMD advocacy campaign detailed in Chapter 10 of this book, fail because they have either not researched and/or planned each step of their campaign or reconciled the resources each step requires.

In addition, the campaign needs to set clear goals; without them, an advocacy group may not know when they have succeeded. For example, a group advocating for women's rights may, over the years, gain additional freedoms for their members but not win complete freedom from discrimination. Whether the group has been successful depends on how they define success and whom the group is addressing. For instance, the group will claim success when it serves their recruiting and fundraising needs and they will claim partial success when someone enumerates the remaining challenges. However, they will claim the need for further action when supporters begin to believe that the cause has run its course. This is fine for general discussions and public statements, but if the group wants to push a specific policy proposal through parliament in a given timeframe, they must focus internally on the immediate goal. A goal such as 'passing legislation through parliament this year intended to guarantee equal pay for equal work' is the type of goal that can become the focus of a campaign plan.

Using their research and goals, the campaign can design a clear strategy with specific tactics. Without a suitable strategy, a campaign tends to try many different approaches and not really know what worked and what did not. And while some efforts may be redundant or even counterproductive, others may be an unnecessary waste of valuable resources. For this reason, a campaign must develop a specific set of action steps that lead directly to the goal insuring that enough resources are committed, yet none wasted.

Finally, a useable campaign plan needs to include a detailed budget that lists the required resources and tracks their availability and whether they can be obtained. Depending on the campaign's needs, this reconciliation may prompt the organisation to find innovative ways to secure additional resources or to revise the strategy and make it less expensive – a grand plan is useless unless it can be executed, as is a

minimal plan that is affordable but that will fall short of the goal. An appropriate plan can only be developed once these three elements have been considered together – the goal, the action plan and the resources.

Define the future, set the goal

The goals of an issue advocacy campaign may seem self-evident until they are carefully considered. The goals might even need to be refined before the campaign plan is written.

For example, the Rainbow Housing Co-operative's goal is to find affordable housing for their members on land and in urban facilities close to their places of employment. For this reason, the co-operative's first goal was to develop a plan to persuade the Western Cape to fulfil the government's election promise to allocate suitable housing for their members. This included building a sizeable coalition of interest groups that were pursuing a similar agenda, meeting with friendly politicians, and raising money to finance the co-operative's overheads.

However, given the province's restless political history, this overarching goal was not specific enough to build a strategy that would force the provincial government to allocate sustainable medium-density housing to those who need it, at least not in the short term. Therefore, a more appropriate goal for the campaign plan might have been to help the provincial government write an actionable plan that would provide immediate access to adequate housing for the legislature to approve within the next year. A strategy outlining specific actions that would achieve this goal would be easier to establish, pursue and measure, and would pave the way for the campaign's next goal.

In other words, a useful goal should affirmatively answer the following four questions. First, is the goal within the organisation's mission? Not every issue that comes to the attention of a group deserves the action of the group. In fact, a group is much more likely to be able to motivate its supporters if the goal is closely linked with the group's mission.

Second, is the goal specific enough to develop immediate action steps? A goal needs to be very specific. For instance, most interest groups want to either pass specific legislation or prevent specific legislation from becoming law, to raise public concern about an issue or to bring an issue to lawmakers' attention. Once the goal is set, the campaign plan's next step is to design specific metrics to help the campaign achieve it. For example, the goal might be to get the issue into the top three questions asked on the next Ipsos Markinor random sample⁸ survey which asks: 'What are the most important issues facing our nation?' Or the goal might be to get the majority party to incorporate a preferred policy into their election manifesto.

The third question asks, is the goal obtainable? Unfortunately, not every desire of an advocacy group is obtainable and there is no reason to establish unattainable

goals that ensure failure. Of course, the group may find it valuable to have a lofty overall mission, but a campaign plan should be about accomplishing a specific goal. For example, an environmental group may wish to ban all fossil fuel transportation. However, no campaign plan can achieve that goal in the near term. Yet they may have significant success seeking legislation that incentivises the use of electric vehicles.

The fourth and last question is, is the goal worthy? Whether or not the goal benefits society as a whole is always an important consideration. Before a group or an individual decides to pursue a particular policy goal, they should always question whether the goal is good for the whole nation and the political system, and if it is ethical. For example, a group may seek the removal of a cabinet minister who is blocking their preferred policy. Unfortunately, the minister may also be an important component of the majority coalition. In this case, the group needs to consider whether its goals are worth sacrificing the nation's entire political system.

The context rules

A campaign's context determines its strategy and tactics;⁹ therefore, a campaign plan must appreciate the contextual arena and its many aspects. For political scientist, Theodore Lowi, politics occurs in arenas of power,¹⁰ meaning that different arenas call for different tactics. For example, the arena in which a policy decision will be made is an important contextual factor because there is a big difference between lobbying a local government council and approaching the provincial or national government. In South Africa, for instance, a group planning to approach parliament needs to use different tactics to lobby the various factions of the ruling party/coalition and the relevant parliamentary portfolio committees.

The public's opinion on an issue will also affect the campaign's strategy; in some years, the public wants political change and in other years, it seeks the security of stability. This swing in opinion makes some cycles favour some groups and not others. For example, pro-business legislation may be easier to pass in an economic downturn when jobs are the most important issue.

The public's knowledge of the issue will also affect the campaign's direction. If the public supports an issue, the strategy will be to motivate supporters. However, if the public knows little about the issue then the strategy will be to educate and persuade voters. Some issues easily generate an instant response by the public without much thought, while others (known as hard issues) need to be explained thoroughly before members of the public can make a decision.¹¹ If the advocacy campaign is on the popular side of an easy issue, such as delivering essential and promised services, the strategy will be very different from a campaign focused on a harder issue, such as understanding the impact of HIV/AIDS.

A campaign's plan must also consider its opposition because there are at least two sides to every story. And unfortunately, legislation inherently advantages some groups

and disadvantages others. For example, anti-smoking legislation rewards people who prefer not to inhale second-hand cigarette smoke. However, it also disadvantages those who wish to have a cigarette with their meal. The opposition, if not already organised, will likely become organised when threatened. For this reason a successful campaign plan must consider who its opposition will be, how well organised they will become, and what influence they could potentially wield.

Strategy

Strategy and tactics are often confused. On the one hand, a strategy decides who the campaign will approach, with what message, and when. Essentially, it is a blueprint for winning.¹² Tactics, on the other hand, are a series of specific actions that implement the strategy. Because different groups respond to different messages, the strategy must be determined before the tactics are considered.

Although politics sometimes makes strange bedfellows, certain legislators are unlikely to support a given position. In fact, they may have already publicly declared that they are against a policy. For example, in the US a member of the National Rifle Association is unlikely to support a gun control measure. As a result, a strategy that tries to win everyone's vote is a waste of resources and it is frequently a formula for failure; focusing on everyone is a focus on no one.

Therefore, the first step in determining a strategy is to divide the decision makers into three groups: *supporters* – those who already support the measure or are highly likely to do so; *persuadables* – those who are open to the idea but do not yet support the proposal; and *opponents* – those who will never support the plan regardless of the campaign's efforts. There are several clues that can help a campaign categorise decision makers. For instance, party affiliation, as Collette Schulz Herzenberg pointed out in her chapter, largely determines what issues and/or policies a decision maker will support. Also likely to determine their attitude is the strength of his or her party's discipline (does the party consistently vote as a caucus); their past votes or statements; the desires of their voting constituency; and how they respond to you when you ask for their position on the issue/policy.

Once a campaign has identified its supporters, it does not need to spend valuable resources trying to persuade them to support the issue. In fact, the campaign only needs to ask them to take action on the issue at the appropriate time. In addition, supportive legislators may be willing to help sway some of their colleagues to support the cause.

Unfortunately, those who oppose the issue are also highly unlikely to change their minds,¹³ especially if they have already publicly stated their position. Since there is very little the campaign can do in the short term to persuade them, the best strategy is to preserve the resources that might otherwise be spent seeking their support. Winning support from the persuadables, however, is crucial to any advocacy effort and working

to shift such decision makers is generally a campaign's primary focus and consumes most of its resources.

Once the process is complete, hopefully the number of supporters plus persuadables exceeds the number the campaign needs. In most cases, this constitutes a simple majority.¹⁴ And if the number of votes available significantly exceeds the number of votes needed, then the strategy should be refined to focus on a smaller set of persuadables and save the excess resources.

If, however, the number of votes available is not enough, then the strategy must incorporate attempts to persuade some opponents. Although this is highly unlikely, it may be the only path to success and the strategy must factor in the extra time, money and personnel these approaches will require. In such cases, advocacy campaigns adjust their appeal based on one or both of these two positions; either they try to convince the official that the desired position represents the needs of the masses, or the group creates pressure by becoming very vocal and sometimes disruptive.

If further pressure is required then the campaign might seek to change the venue or expand the conflict. Theodore Lowi found that when a group struggles to produce the desired change at one level of government they frequently seek similar goals in a different setting.¹⁵ Therefore, if the national government is not passing the desired policy, the campaign should consider taking a version of the policy to a provincial or local authority. By changing the venue, the campaign may find a place to establish the policy and begin to build from that point. The other option is to expand the conflict by bringing more groups into the issue area. Perhaps by shifting the goal slightly, other political forces can be used to reshape the list of persuadables.

Moreover, when planning to contact members of the legislative branch the campaign must remember that there are many gatekeepers; that is, committee chairs and floor leaders. Any one of them can stall or kill a legislative proposal; therefore, the plan needs to determine when in the process they need to be contacted.

Unlike South Africa, US elections tend to focus on individual candidates rather than public policy.¹⁶ Instead of a coherent party programme being the determining factor, candidates in US elections rely on public opinion polls to help them shape their public image and establish their constituency's issues. Furthermore, voters choose individual candidates, not party slates, and often a voter will select candidates from different parties for offices that must work together. For example, it is not unusual for a US voter to split their ticket by voting for a Republican for the US Senate and a Democrat for the US House in the same election. Therefore, when legislators are elected (be they state or national) they do not carry a programmatic policy mandate. In fact, members of the majority party often cooperate with one another because they share an ideology rather than a mandate. In this political environment, it is imperative to lobby individual legislators and not just party leaders. Party leaders serve more as gatekeepers than party disciplinarians, and in their official roles in the chamber, party leaders exercise tremendous influence over the course of legislation.

South African Members of Parliament are more disciplined than US members of Congress. Lobbying individual members may be of little value if the party leader ultimately makes the legislative decisions. Yet rank and file members can pressure leaders and a campaign plan needs to acknowledge this when deciding how to get various coalition partners to support the proposal. In some cases, it may be a matter of working exclusively with the party's leadership, while in other cases, a campaign may need to build support within the party's membership base. Nevertheless, the key strategic principles remain the same: establish a goal, determine the number of votes required to reach that goal, identify specifically which legislators' votes are likely to be included in the number, and design tactics that focus on those legislators and their leaders.

Tactical options

The universe of potential tactics is endless. The efforts could include everything from a letter-writing campaign to a public protest or demonstration at the Union Buildings. Of course, the tactics an advocacy campaign uses must be within established ethical standards. Whatever the ploy, the purpose of a campaign plan is to determine which tactics will win the needed support and, once decided, the campaign uses those tactics and only those tactics. Often, volunteers test a campaign's commitment to its plan and propose new ways of attracting support. In such cases, movement leaders need to remain focused on the core effort/s and channel their supporters' enthusiasm into the tactics delineated in the campaign plan.

If, for instance, the goal is to push a policy change through Parliament this year, then the tactics will most likely try to bring public pressure on policymakers through direct constituent contact. Generally, the more personal the contact the more effective it will be. And one very effective tactic for a grassroots campaign is to bring supporters to Parliament to personally meet with legislators one on one, preferably in their offices. When meeting with legislators, be sure to make an appointment; be on time even if the legislator is not; take another person with you, preferably one of the legislator's constituents or friends; be courteous to the staff; leave a one-page summary of your concerns and supporting documentation; listen respectfully to the official's position; ask for their support; be understanding if they cannot offer immediate support; follow up with a phone call; and, most importantly, send a thank-you note after your visit.

Most of these tips are self-explanatory but a few need further explanation. For instance, it is generally more effective to have two people in a meeting for a number of reasons. First, the two advocates can help each other stay on point and deliver the message. Second, if the situation turns hostile, both the legislator and the advocate are more likely to maintain appropriate decorum if another person is in the room. And third, two advocates can encourage each other if the situation becomes discouraging – it is almost always more fun to travel with a buddy than to travel alone.

In addition, legislators respond better to personal friends than to total strangers

which is why relationships are by far the most important ingredient in lobbying. Therefore, whenever possible involve someone from the legislator's constituency, the closer the personal tie to the legislator the better. This is why former legislators make such good lobbyists because not only do they know the process, they also have personal relationships with other members.

It is also sometimes hard to know the role of a staff member. In some cases, they are the legislator's most important policy advisor, and in others, they may not be involved in policy decisions at all. Regardless, they are gatekeepers who can make it easier or harder to work with a policymaker. Therefore, it pays to treat legislative staff with the respect ascribed to their boss.

Also, a smart legislator will probably not make a commitment on the first visit. Although they hate telling the person in front of them 'no', they have to consider the interests of all of their constituents. They may also have to consider their position within the party and a variety of other concerns. So, those who ask for a commitment should not be disappointed if one is not forthcoming. Instead, graciously accept a hearty 'maybe' and continue to work that possibility. Most importantly, never burn bridges. Someone who sided against you on the last issue may be your best friend on the next one. Instead, look for an opportunity to work toward a common goal and build a relationship that can pay off later.

Advocacy campaigns also use another especially handy tactic, speaking before a legislative committee. In fact, it is essential that a senior member of the campaign attend every public hearing related to the issue, because often statements or questions raised at these meetings need a response from an advocate. Simply being present and answering these opportunities creates credibility for your campaign and raises public awareness about your position. When the issue comes before a committee, be sure to attend the meeting; be early; make sure you have read the latest version of the proposal; before the meeting, make an appointment and meet with the author of the bill; meet with the committee chairperson; meet or contact as many of the committee members as possible; and know where the committee members stand before the meeting starts.

Of course, there is no substitute for working committee members before a meeting. Few politicians are going to change their minds in a public setting; therefore, the key to winning a committee vote is to have the votes before the meeting begins. To achieve this, an advocacy campaign should try to contact its legislators. This approach effectively opens up a completely new genre of communication tactics.

Here again, follow the tenet – the more personal the contact the more effective it will be. Legislative offices notice hundreds or thousands of duplicate messages; however, they tend to discount them as the work of some interest group to stimulate their base supporters. For this reason, individualised messages from the legislator's friends and constituents are more persuasive, even when a group orchestrates them.

For those supporters who are literate and who have access to the Internet, most campaigns find that e-mail is the simplest and most preferred method for contacting

legislators because it is cheap, convenient and traceable. In addition, most official government websites list the e-mail addresses for various committee members who, even if they have someone reading and answering their e-mail, generally know when e-mail from several different people addressing the same issue arrives.

Often, a grassroots group will produce a sample e-mail and distribute it to their activists. In fact, to make the process even more convenient, they put a link on the group's website and simply ask the supporter to click the link to send the message to a specific legislator. Unfortunately, the more generic a message seems the less effective it is, so most campaigns will encourage their supporters to personalise the e-mail using examples from their experience – generally, the more work the constituent must do to deliver the message the more attention a legislation will pay.¹⁷ Of course, the more work involved the less likely a constituent is to send the message. For this reason, the group must measure the tradeoffs between using a weighty format and actually getting the message sent and choose the most effective tactic for the circumstance.

Another cheap and convenient tactic advocacy groups are increasingly using is social networking sites. As Jason Johnson explains in his chapter,¹⁸ crowd-sourcing technology such as social network sites can and have been used successfully by interest groups in both the US and Mexico. He goes so far as to suggest that South African public interest organisations stop shying away from this technology and instead use the country's growing infrastructure to exploit it.

Another more expensive method is to send your members an information packet that includes a stamped postcard addressed to a targeted official – groups as diverse as Amnesty International and the US-based Christian Coalition often use this tactic with tremendous success. All the supporter needs to do is sign and mail the card. However, like generic e-mail, these postcards are recognised but generally discounted when received. Therefore, a more effective method for literate supporters of a grassroots campaign is a personal letter. Because very few people have and take the time to write letters, they usually attract official attention and elicit a response. To streamline the process, interest groups often supply talking points to their members. In addition, a letter writing or e-mail campaign should always be respectful; spell the officials name correctly; refer to the issue by name or bill number if possible; focus on the issue at hand – avoid venting multiple frustrations on a variety of topics in a single communiqué; encourage advocates to use their own words; make well-reasoned arguments; provide an example of the problem; suggest a solution; and, most importantly, request a response.

Promoting through protest

Since democratic societies generally seek to avoid violence, there are a variety of non-violent public actions that campaigns use to force party leaders to respond. For example, in France, truck drivers regularly park their trucks on roads in mountain

passes, blocking traffic until leaders negotiate their demands. In South Africa, trade unions have used 'go slows' and rolling mass action to achieve similar results.

Unfortunately, because the South African media tends to cover violence, protest actions invariably become full-on confrontations between demonstrators and riot police, often with devastating results. The recent service delivery protests in the Free State¹⁹ town of Ficksburg is one such example. Here, because government officials have consistently ignored conventional constituency contact ploys, a frustrated community-based advocacy group, the Meqheleng Concerned Citizens group, organised a protest to expose the government's lack of service delivery²⁰ policies and programmes. Unfortunately, one of their members, Mr Andries Tatane, was killed during the ensuing confrontation.²¹

Disruptive tactics such as these are becoming more common in South Africa²² and seem to be the natural tactic for organisations whose membership is largely illiterate. However, the most successful ones, as Adrian Di Lollo illustrates in his chapter,²³ are both ethical and try to avoid violence.

Costing a campaign

No matter what activities a campaign chooses to pursue, each step will cost the campaign time, money and/or personnel. Unfortunately, most campaigns fail to calculate these costs before they begin work. In general, a campaign plan should include a separate fundraising plan that costs and measures the viability of each planned tactic. Ideally, a campaign plan should realistically list the actions that can be accomplished, have a high probability of success and do not consume unnecessary resources.

Both Costas Panagopoulos and Heather Thuynsma's chapters describe various campaign finance regulations and approaches for raising money using a specifically conceived financial plan.

Staffing a campaign with volunteers

Grassroots campaigns require a large number of volunteers – activists who work on behalf of the cause without cash payment – and they typically engage in the cause for expressive, solidarity or material reasons.²⁴ Expressive activists believe in the cause and are willing to work for policy changes. Solidarity activists may also believe in the cause but their primary motivation is camaraderie – they seek social interaction. The materialistic activists believe they will gain from the work, even if they are not receiving a wage. Whatever their motivation, volunteers generally help staff a campaign's headquarters, distribute materials, or carry out a variety of other tasks.

Often, however, these volunteers are hard to manage because they are not working for direct financial incentives. For this reason, recognising why they choose to participate and helping them find the reward they seek, will keep them actively involved

in the campaign. As will giving them a specific time and place to work; volunteers are more likely to take a specific appointment seriously than a vague idea of coming by to help sometime.

Once they are working, consider the following ideas to keep them coming back: help your volunteers feel comfortable, create a sense of fellowship; provide food; offer them a genuine heartfelt thanks for their effort; offer recognition and awards (banquets, plaques, etc.); always give them meaningful work, do not waste their time; and keep the pressure low.

Conclusion

A good campaign plan will not guarantee success; however, it will significantly improve a campaign's odds. When the team has set a clear goal, considered a strategy, decided on the tactics and resources necessary to reach the goal and committed to following the plan, the most important decisions are finished. With these decisions written down, the campaign can use the plan to focus, implement and measure the group's efforts. A strong plan that acknowledges potential opposition will also help the movement's leaders respond to attacks, promote their proposals and help the media frame the issue.

A successful advocacy campaign needs to have a plan, have faith in the plan, work the plan and stick to the plan. Of course, if the campaign is truly going badly then the group's leaders may need to reassess their strategy – just like a sports team that is behind in the final stages of the game; it may be time to try some unorthodox tactics. When this happens, groups should remember that future relationships might be more important than an immediate victory.

Notes

- 1 Schlesinger, JA. 1966. *Ambition and Politics: Political Careers in the United States*. Chicago: Rand McNally.
- 2 Rossouw, M. 2010. ANC Looks to Leadership Renewal. *Mail & Guardian Online*. 24 July; Rossouw, M. 2010. Lobbying Rules to Tame Firebrands. *Mail & Guardian Online*. 30 July; Brown, K. 2010. South Africa: ANC Proposes New 'Rules of Engagement'. *Business Day*, 25 February; and chapters 4 (written by Paulus Zulu), 7 (written by Collette Schulz Herzenberg) and 8 (written by Robert Mattes and Wadim Schriener) of this book.
- 3 The theory mentioned here is described in chapters 1 (written by Michael Wolf) and 3 (written by Siegmar Schmidt) of this book.
- 4 For details please see <<http://www.cosatu.org.za/>>.
- 5 Please see Anzabeth Tonkin and Lufuno Muthambi's chapter in this book (Chapter 9) for more information on this campaign.
- 6 Kernell, S. 1997. *Going public: New strategies of presidential leadership*. Washington, DC: CQ Press.

- 7 Resources include the people, time, and money the campaign has or needs to fulfil its goals.
- 8 Please see Chapter 6 for Mari Harris's discussion about these surveys.
- 9 Faucheux, R. 1998. The Grassroots Explosion. in Faucheux, R. (ed) *The Road to Victory: The Complete Guide to Winning Political Campaigns-Local, State and Federal*. Dubuque: Kendall/Hunt Publishing.
- 10 Lowi, T.J. 2009. *Arenas of Power*. (Edited and Introduced by Norman K. Nicholson.) Boulder, London: Paradigm Publishers.
- 11 Carmines, EG. and Stimson, JA. 1980. The Two Faces of Issue Voting. in *American Political Science Review*, 74:78–91.
- 12 Shea, DM. 1996. *Campaign Craft: The Strategies, Tactics and Art of Political Campaign Management*. Westport CT: Praeger Publishers.
- 13 Zaller, JR. 1992. *The Nature and Origins of Mass Opinion*. Cambridge: Cambridge University Press.
- 14 In the US Senate, the number of votes needed to win is frequently 60 of 100 members. Individual Senators are allowed unlimited debate time. Lengthy debate can block the flow of legislation. This is called a filibuster. Sixty Senators can vote to cut off debate and move the legislation to the next phase. This is called closure. Since the 1990s, almost all major legislation has been filibustered by at least one Senator. Hence, the 60 Senators need to vote to pass major legislation.
- 15 Lowi, T.J. 2009. *Arenas of Power*. (Edited and Introduced by Norman K. Nicholson.) Boulder, London: Paradigm Publishers.
- 16 Jacobson, GC. 2001. *The Politics of Congressional Elections*. New York: Longman.
- 17 Faucheux, R. 1998. The Grassroots Explosion. in Faucheux, R. (ed) *The Road to Victory: The Complete Guide to Winning Political Campaigns-Local, State and Federal*. Dubuque: Kendall/Hunt Publishing.
- 18 Please see Chapter 12 of this book for more information on this tactic.
- 19 The Free State is one of nine provinces in South Africa.
- 20 These so-called 'service delivery protests' refer to the government's general non-delivery in a number of specific areas, including non-delivery of basic municipal services such as running water; electricity and toilets, especially in informal settlements; unemployment (officially at around 23 per cent), increasing poverty; poor infrastructure; and the lack of suitable housing.
- 21 South African Press Association. 2011. Man Dies in Ficksburg Protest. in *The Citizen Online*, 13 April. <<http://www.citizen.co.za/citizen/content/en/citizen/local-news?oid=187458&sn=Detail&pid=334&Man-killed-in-Ficksburg-protests>> [Accessed 24 April 2011.]; Mahlangu, I. 2011. Hundreds Mourn Andries Tatane. in *Times LIVE*, 24 April. <<http://www.timeslive.co.za/local/article1036036.ece/Hundreds-mourn-Andries-Tatane>> [Accessed 24 April 2011.]
- 22 For further information, please see Gerhard Wolmarans's Chapter 5 of this book.
- 23 Adrian Di Lollo has written Chapter 14 of this book.
- 24 Salisbury, R. 1969. An Exchange Theory of Interest Groups. in *Midwest Journal of Political Science*, 13:1–32.

A democracy is only effective if it can evolve and address the ever-changing socio-political pressures that are endemic in a globalised economy. Interest groups and their advocacy campaigns, including those based in South Africa, try to aid this evolution by engaging the government and making constructive proposals. For instance, because policies often create problems by default, interest groups work to understand these setbacks and propose solutions to refine and streamline the government's approach. As a result, their campaigns often encourage and facilitate civic involvement, lobby key government officials, and/or pursue public interest litigation. Whichever tactic or combination of tactics they choose, interest groups need money to drive their strategy and track its effectiveness.

The evolving economic climate has forced funders of all stripes to shift their focus from simply rewarding good intentions to investing in tangible results. Funders now want to know that their money is not only providing operational capital, but that it and the organisation are also making a difference by achieving the promised goals. This is a tough sell, even to the most sympathetic of prospects, and requires a strategy that both markets an organisation's investment opportunities and measures its progress. For this reason, an interest group needs to develop a specific finance plan; something that describes not only its objectives and activities but also costs each planned measure. Its pitch should appeal to the prospect's passion for an issue, prove how effective the advocacy effort can be and provide a timeframe in which the funder can expect tangible results.

This chapter describes the different components of such a finance plan and compares it to traditional fundraising methods. In addition, because successful advocacy campaigns rely on organisations with a strong infrastructure, this chapter also introduces a few new financing instruments that interest groups with a finance plan can leverage to bolster their organisational capacity and ensure their sustainability. However, to contextualise these proposals, the chapter first needs to examine the regulatory environment within which South African advocacy organisations operate.

Regulating campaign finance in South Africa

Money drives the democratic political process and, if left unregulated, its presence threatens to undermine public confidence in the political system.¹ Nevertheless, unlike

the US and Germany, South Africa does not specifically regulate lobbying or the money raised and used for such efforts.²

Political parties

The South African Constitution³ does appreciate, however, the influence political entities, such as political parties, can have on the country's democracy. For this reason, it attempted to negate the potentially corrupt link between money and political campaigns by providing parties with public finance. As Section 5 of the Public Funding of Represented Political Parties Act No. 103 of 1997 acknowledges, through their campaign work, political parties can develop 'the political will of the people' and bring 'the political party's influence to bear on the shaping of public opinion'.

According to the law, the IEC must distribute public funds to those parties represented at the national or provincial level based on their previous election results. It also requires that the Independent Electoral Commission monitor how parties spend these funds; specifically, that it verify that the money is used to fund activities/campaigns that shape public opinion, promote political education, generally encourage participation and influence political trends.⁴

Unfortunately, despite its best intentions these measures do have inherent flaws. For one, the amount of public money apportioned to political parties is incapable of subsidising a party's administrative structures, let alone its election campaigns. In fact, during the 2009 national elections⁵ the ANC spent ZAR400 million and the DA some ZAR60 million on their respective campaigns, while the IEC only disbursed a total of ZAR92,9 million to all qualifying parties during the 2009/10 financial year.⁶ As a result, political parties, like other South African interest groups, need to rely on unregulated private – mostly corporate – donations. In addition, because public funds are allocated based on the previous election's results, the ruling ANC qualifies for the lion's share despite the law's 'equitable share' provision.

To their credit, advocacy groups have pushed for campaign finance reforms since the 1997 Act was ratified, but to little avail. For example, in 2003, the Institute for Democracy in South Africa (IDASA) petitioned the Cape High Court to compel political parties to disclose their funders and the size of their donations under the Promotion of Access to Information Act (POATIA).⁷ Citing the constitutional right to political equality, freedom of association and freedom of expression, IDASA's lawyers acknowledged that while private funding of parties is necessary, keeping the donors secret would effectively corrupt the government and erode its legitimacy. They claimed that in exchange for these donations, political parties – especially the ruling ANC – would inevitably make favourable concessions for their donors that would shape public policy and entrench poverty and inequality.

To remedy the situation, IDASA proposed measures that required full donor disclosure and regulations that would make the system transparent and accountable, support vibrant electoral competition and encourage public participation.⁸

Unfortunately, the Court did not agree and considered the matter to be a legislative issue and therefore the purview of Parliament. POATIA and its disclosure provisions, it found, did not apply to political parties and their finances because they are, in effect, private associations.⁹ To date, Parliament has not enacted any additional measures.

Clearly, as long as the ruling party's political agenda prevails and the current campaign finance laws support it, there is no real reason for the ANC to change them. Nevertheless, as Anthony Butler points out, advocates continue to push for campaign finance reform citing, among other things, ever-increasing party expenditures, rising speculation about the influence international donors exert on political parties, and controversial reports linking covert funding to tender kickbacks and licensing scandals.¹⁰

Public benefit organisations (PBOs)

The government also grants other political entities, what it calls public benefit organisations (PBOs), preferential tax benefits. Under South African law, a PBO is any organisation formed under Section 21 of the Companies Act that is '... either a company, a trust, a branch of a company/charity, or an association of persons that provides benevolent services that assist the needs, interests, and well-being of the public'.¹¹ Organisations that promote or advocate for human rights and democracy are generally entitled to PBO status. As a condition of their status, PBOs must submit to an annual and often independently run financial audit that traces the sources of their funding and verifies how this money was used. Any offence is subject to a variety of penalties.

In exchange, South African tax laws do provide several tax incentives for those who donate either cash or kind to a registered Section 18A PBO.¹² By law, individual and corporate donors can claim a tax deduction on these donations if they are below or equal to 10 per cent of their taxable income.¹³ However, since promoting political objects is not within the purview of a PBO, these organisations may not use their resources to directly or indirectly support, advance or oppose any political party. Yet the law does not clearly restrict lobbying by an organisation nor does the law restrict the political activities of organisations that are not approved as PBOs¹⁴ – and donations to unapproved Section 18A PBOs are not tax-deductible.

In addition, PBOs can conduct certain subsidiary activities to make some tax-free profit as long as the activity's main objective is not the acquisition of gain.¹⁵ Here the legal provision is limited to for-profit activities that are integral or directly related to the PBOs mission; will generate revenues that will be used to recover the organisation's costs; do not unfairly compete with those entities that must pay tax; and are occasional activities run primarily by uncompensated volunteers. Alternatively, the PBO can claim that the revenue it generates does not exceed either 5 per cent of its total receipts and accruals during the tax year or ZAR150 000.¹⁶

Moreover, those who donate to PBOs, the national, provincial or local governments, or political parties registered under the Electoral Act No. 73 of 1998 do not have pay donations tax – the donations tax is a 60-year-old measure that prevents South Africans from reducing their liability for estate duty and income tax.¹⁷

Clearly, the law gives preferential treatment to PBOs and creates a number of strategic solutions and financing possibilities for interest groups and individuals alike. And while they are not as generous as say those in Germany,¹⁸ South African tax laws do provide incentives for individuals and companies to support PBOs if they are asked to do so. However, given these porous campaign finance and tax laws, one has to ask why more funders do not invest in advocacy organisations and the campaigns they run.

For one, not all advocacy groups exploit the tax incentives offered under South African law, which effectively limits their attractiveness to donors. Donors like to receive something besides a feeling of goodwill in return for their hard-earned money. And while an organisation's traditional fundraising plan does provide measurable results, these will often only yield something much further down the line, which means that funders must have the stamina to achieve long-term goals. This is a risky proposition and funders who assist advocacy efforts often become frustrated. For this reason, being able to offer a tax receipt may placate a donor in the short-term and motivate them to continue investing in the organisation. Unfortunately, most advocacy groups are not registered as Section 18A organisations and therefore cannot market these tax incentives. Even if they are registered, they tend not to offer or even explore such avenues because they feel the administrative costs are prohibitive. However, as this chapter will show, the additional overhead can yield more good will and therefore money in the future.

A second deterrent is the fact that the ANC's political patronage prevails, therefore funding any opposition to the ruling party tends to be counter-productive for many would-be funders. Finally, South Africa's record of free and fair elections – four at national and provincial levels and three at local government level – is an indicator that the country's democracy is stable. Sadly, this stability seemingly negates the need for the international community to fund further civic participation and advocacy organisations. Instead, international aid agencies and corporations have shifted their attention to focus on political and economic concerns in Asia, the Middle East and North Africa, effectively challenging South African interest groups to fund their activities from other, mostly local, sources. Unfortunately, not everyone is able to rise to this challenge.

Shifting sources

During Apartheid, international and bilateral aid agencies, foundations and corporations funded interest groups and their advocacy efforts. Most of these grants

were purely transactional¹⁹ and did not emphasise a ‘... values exchange, mission link, and [the] potential impact of the gift on both the donor and the institution ...’ effectively diminishing the opportunities for both concerned.²⁰ Essentially, fundraising devolved into a goal-focused routine that negated the organisation’s potential impact and lost many potential donors.

Sadly, most advocacy groups are still locked in this mindset and their potential affect suffers. And with international aid agencies and foundations increasingly shifting their focus away from Southern Africa, advocacy PBOs are relying on membership dues, the odd grant from a funder who is willing to pursue public interest litigation, or an entity that needs to cover up its own misdeeds as the AMD case study described earlier.²¹ It is no wonder that advocacy efforts are so limited and largely unsuccessful.

Today, however, donors are keenly pursuing transformational giving; they want their gifts to make an impact and therefore build their individual, family and organisational legacies. Although their contributions cover the organisation’s overheads and its advocacy mission, today’s donors also demand that their money help transform society and be evaluated as an *investment*.²² This means that advocates need to help these investors justify their expenditure by focusing on the social impact their investment creates. Therefore, advocacy PBOs need to change their approach from a traditional fundraising strategy to one that offers different *financing* options. Although on the surface the difference seems to be semantic, these plans are substantively distinct.

Fundraising strategy vs finance plan

Advocacy groups by their very nature push for social change and they use their strategic plans to describe how they intend to effect this change. When they combine a strategic approach with a finance plan, however, they develop a document that can help their investors evaluate whether the group is achieving its intended goals, assess the person/people responsible for each task, and calculate how much money each department uses or needs to complete their tasks. Besides listing the plausible, doable and testable, this combined plan also pushes staff to take responsibility for specific tasks essentially promoting transparency and accountability within the campaign and the organisation running it, for those who invest in it, and for the community it serves.

Conversely, a traditional fundraising strategy tends to focus on fundraising events, foundation grants, earned income and government grants. And, as discussed earlier, while these approaches are useful, given the current economic and political climate, they are no longer able to fully fund all of an organisation’s activities let alone a long-term advocacy campaign. For this reason, advocacy groups need to diversify their funding base. This means that they need to expand their strategy to support short- and long-term programme and infrastructure goals and marry these goals to new donors and their needs.

To do this, the group needs to shift from a tin-cup mentality to one that

emphasises the organisation's social effect. It also means that advocacy groups need to shift their focus to individuals instead of searching solely for corporate and foundation funds. Individuals, thanks in part to a widespread belief in human solidarity and to organisations like Kiva.org and the Bill and Melinda Gates Foundation, currently contribute around ZAR12 billion to the South African non-profit sector as opposed to the ZAR5 billion that corporations currently contribute.²³ (Interestingly, this giving trend is comparable to that of the US, where individual donors contribute roughly 80 per cent of all non-profit funding whereas corporations and foundations give only 5 per cent and 12 per cent respectively.) Finally, a plan that targets new individual sources can and must include and explore other financing options such as loans and equity.

To attract this new funding base, advocacy groups also need to concentrate on pulling interested prospects and donors to the organisation using tactics that align with the advocacy group's mission and core competencies. If the mission is misaligned, then a group may raise capital for work that is outside the organisation's field of expertise. This 'mission creep' can, and often does, shackle an organisation to the whims of the funder instead of pushing the planned social agenda.

Unfortunately, most advocacy groups succumb to the mission creep trap because they cannot use their inspiring mission and ability to run an effective campaign to raise suitable and sustainable funding. Typically, groups facing this scenario rely solely on a traditional fundraising model.²⁴

A fundraising department that runs its fundraising strategy parallel to the rest of the organisation is a classic characteristic of a more traditional approach. Such parallel strategies also tend to produce funding decisions that completely disregard the organisation's strategic plan, forcing it to veer from its change strategy to the frustration of other staff members. In addition, these fundraisers use appeals that simply try to elicit sympathy from the donor instead of emphasising the impact the organisation and its advocacy efforts have and the tax benefits available to the donor. Finally, this classic strategy targets the same foundations and corporations the organisation has already approached for funding rather than providing and exploring new financing options.

To redress such misalignment, advocacy groups need to treat money as an equal partner to their organisation's mission. By integrating its finance and strategic plans, the group will see where they need money and the entire staff will understand how the organisation raises money. Lastly, an integrated approach will allow the group to explore new fundraising tactics using a pitch that informs investors and the community about its social change mission.

The cheapest and easiest tactic, for example, is to add social networking technology to current efforts to reach and leverage both volunteers and potential funders for their cause.²⁵ By building social media networks, groups can effectively change their strategy and recruit individual donors virally. This technology also solves

another problem most organisations have – the fact that their funders and volunteers are isolated from the organisation’s fundraising activities. Often, organisations avoid asking for more from their supporters fearing that any additional requests will ultimately chase them away. However, in most cases, this fear is unfounded because supporters will, if asked, gladly update their unique circle of contacts about the organisation they are supporting and encourage others to lend their support. As a result, the organisation effectively increases its reach and impact.

A second option is to use an integrated plan to find and persuade major gift donors. Here, the message should emphasise the investment opportunity the organisation and its activities offer; effectively requiring a slightly different fundraising approach.

Pitching social change

A traditional fundraising message outlines the organisation’s needs, tugs at a donor’s sympathies and asks donors to fund individual line items. An integrated finance plan, however, requires a message that sells the group’s intended social impact – which should be easy for an advocacy organisation.

Ideally, the message needs to demonstrate how an organisation will use the investment raised from these donors to push their shared values; how the organisation’s combined strategic and financial plan will achieve the desired social effect; and should illustrate what change will occur in the community as a result. In other words, it explains how the organisation will use the investor’s money and commitment to mediate social impact in the long term.²⁶

For instance, a traditional fundraising message might simply ask a donor to ‘Help us reach our goal of raising ZAR100 000’. A pitch to support social change, however, will explain how the investor’s money and commitment will strengthen the community, not the organisation. Therefore, the pitch might resemble the following: ‘Invest in our campaign to give all South African children a better future, make them contributing members of our society and make our community stronger and healthier.’

In addition, since advocacy campaigns rely on a group’s infrastructural capacity, an integrated finance plan needs to cost and raise capital for essential capacity building initiatives. Traditional foundation funders generally avoid funding administrative costs because they do not fully appreciate the link between them and the service the organisation provides. Conversely, investors realise how important it is for an organisation to build its infrastructure, specifically its technological and systems capacity, its ability to monitor and evaluate its efforts, its need to train or re-train staff and the need to find additional investors and resources to continue the organisation’s momentum. By pitching to investors (whether they are individual or corporate), rather than begging donors for grants or contributions, an advocacy organisation does not need to belabour its infrastructural needs. Instead, it can pitch the need to build a strong advocacy sector that will strengthen the country’s participatory democracy.

Leveraging financial instruments for social impact

A key component of designing and executing such a finance plan is targeting and approaching prospects. Luckily, many donors who support advocacy organisations do so for the same reasons organisations choose to run advocacy campaigns. In other words, investors support these organisations because their campaigns encourage public participation – especially from marginalised communities. In doing so, these initiatives also find and develop community leaders with an authentic following; effectively rebuild community institutions and the social fabric; generally encourage the community itself to come up with pragmatic solutions; and through education and other awareness efforts create community pressure to hold their government representatives accountable. In the end, these campaigns draw attention to the government’s policies and suggest how their implementation can be improved.²⁷

For this reason, an ideal finance plan must persuade prospects and supporters to invest in, rather than fund, the organisation’s ability to encourage public participation. This requires a pitch that leverages known financial instruments to achieve an organisation’s expected impact.

Programme-related investments, growth capital, capacity capital grants and social impact bonds are four such instruments that advocacy groups successfully tout in the US and the UK. Each offers a variety of capacity building benefits and can work within South Africa’s current tax laws, which is why they are mentioned here.

Programme-related investments

Essentially, programme-related investments (PRIs) are loans that foundations make to non-profits at low or no interest rates to help an organisation bolster its fundraising capacity and ensure its financial sustainability. At the end of the loan period, the foundation can ask the organisation to repay the loan or it may choose to forgive it.²⁸ Ironically, South African non-profit organisations, like many of their US counterparts, have not explored loan options because they lack the fundraising capacity to ensure their future cash flow. Yet, since PRIs incur minimal interest, can and often are forgiven, and specifically support an organisation’s ability to encourage more investors, their risk is largely negated. In fact, the Ford Foundation²⁹ has used this financing option since 1968 to improve various organisations’ fundraising sustainability with tremendous success, as have the Robert Wood Johnson Foundation,³⁰ Mary Reynolds Babcock Foundation,³¹ Marion I. and Henry J. Knott Foundation,³² John D. and Catherine T. MacArthur Foundation,³³ the David and Lucile Packard Foundation,³⁴ and the Bank of America³⁵ among others.

Since only a few of these foundations support South African organisations, and none of those currently offer PRIs, advocacy organisations should campaign for and encourage their foundation donors to explore this option.

Growth capital campaigns

In addition to PRIs, there are at least three other financial instruments that should be explored. For instance, a non-profit can look for ‘philanthropic equity’ or ‘growth capital’.³⁶

Like for-profit companies, non-profits often need significant capital to expand their infrastructure, staffing and technological capacity so that they can improve and expand their services. Similarly, growth capital campaigns are an investment option that for-profit companies often use to find investors willing to finance capacity building. The Non-Profit Finance Fund (NFF) pioneered a similar instrument within its constituency with promising results.³⁷ Using its Sustainable Enhancement Grant (SEGUE) methodology,³⁸ the NFF helps mature organisations launch and execute a growth capital campaign by assisting them to develop a prospectus document that outlines the organisation’s revenue-generating plans and shows how these plans will affect society. It also helps train organisations to record their growth capital revenue separately from their other income, allowing investors to see the actual effect their money has.

Capacity capital grants

Capacity capital grants are usually small amounts ranging between ZAR100 000 and ZAR200 000 that investors give to start or develop an organisation’s fundraising ability. For instance, the money is used to grow the organisation’s prospect and donor database and recruit suitably trained development/fundraising staff to qualify and steward new and old donors. Of course, bolstering an organisation’s fundraising capacity will inevitably allow it to increase and improve its social impact. Again, the NFF has dispensed a number of these grants in the US.³⁹

Social impact bonds

Social impact bonds is another new mechanism that President Obama proposed in his 2012 Budget and is based on an initiative Prime Minister David Cameron started in the UK in 2010.⁴⁰ In theory, government agencies issue social impact bonds for private investors to buy. The money raised through this sale is used to finance projects with social impact goals. If the projects achieve certain outcomes agreed to in advance, the investors’ original capital is repaid and, depending on the project’s results, they might even make a profit. For example, a project that seeks to reduce the number of university dropouts and graduate 200 students each year will reward its investors if it meets and/or exceeds this target.

Although the programme-related investment, growth capital, capacity capital grants and social impact bonds introduced here are new financing instruments, they do have some precedent and can work in South Africa’s legal framework. Therefore, like the US and the UK, South African society as a whole would benefit if non-profits, and advocacy groups in particular, explored each of these options and ‘... educated,

inspired and encouraged their donors, government leaders, and other lenders to use some of these new tools to finance their work'.⁴¹

Conclusion

Without the ANC's political will, advocacy organisations will not be able to regulate the money spent on shaping and shifting public opinion. Yet if they are smart, advocacy groups can use the current lack of legislation and tax benefits to create new sources of money for the non-profit sector, thereby ensuring their own sustainability and advocacy work.

To tap into these options, interest groups need to realise that they have to change the way they raise money. Instead of focusing solely on a traditional fundraising strategy, interest groups also need to develop strategic plans that will finance the organisation's infrastructure, capacity and tactical needs. And instead of a pitch that merely solicits a donor's sympathy, the fundraising message now needs to connect the various components of the organisation and its work to its ability to create change.

Armed with this, the new finance plan can offer supporters the investment opportunity they want: the chance to change the world.

Notes

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2. Chari, R., Hogan, J., and Murphy, G. 2010. *Regulating Lobbying: A Global Comparison*. Manchester: Manchester University Press.
3. The current party funding system was inspired by The Constitution of South Africa, Act No. 108 of 1996, Section 236, which the South African Parliament implemented with the Public Funding of Represented Political Parties Act No. 103 of 1997.
4. Public Funding of Represented Political Parties Act No. 103 of 1997
5. During 2009 elections, the state subsidised television advertising spots on the public broadcaster, the SABC. As Anthony Butler acknowledges, this was a first and the only other formal support the state offered political parties. Butler, A. (ed). 2010. *Paying for Politics: Party Funding and Political Change in South Africa and the Global South*. Johannesburg: Jacana Media and Konrad Adenauer Foundation:14.
6. Ibid.
7. Republic of South Africa, Promotion of Access to Information Act No. 2 of 2000 quoted in IDASA. 2003. *Regulation of Private Funding to Political Parties*. Cape Town: Political Information and Monitoring Services.
8. IDASA. 2003. *Regulation of Private Funding to Political Parties*. Cape Town: Political Information and Monitoring Services: 3–4.

- 9 Institute for Democracy in South Africa, *Judith February and Brett Davidson v. African National Congress, Democratic Alliance, Inkatha Freedom Party and New National Party*. Cape High Court, 20 April 2005.
- 10 Butler, A. (ed). 2010. *Paying for Politics: Party Funding and Political Change in South Africa and the Global South*. Johannesburg: Jacana Media and Konrad Adenauer Foundation: 17.
- 11 Companies Act No. 61 of 1973
- 12 An organisation which qualifies as a PBO in terms of section 30 of the Income Tax Act No. 58 of 1962 and conducts public benefit activities listed in Part II of the Ninth Schedule, will qualify for this status. Organisations that promote or advocate for human rights and democracy are generally entitled to Section 18A status so long as they do not promote a specific political party.
- 13 South African Taxation Laws Amendment Act No. 8 of 2007
- 14 Income Tax Act Section 30(3)(h)
- 15 Income Tax Act Section 30
- 16 Income Tax Act Section 10(1)(cN) as amended
- 17 For example, if a South African resident disposes of property for considerably less than it is worth, the South African Revenue Service will regard the difference between fair market value and the amount you sold it for as an amount that will incur donations tax.
- 18 In Germany, individual taxpayers are allowed to fully deduct donations of up to 20 per cent of their total income if made to a recognised PBO from their taxes. Any amounts in excess of that limit are carried forward to the next tax year rather than being lost. Please see <<http://www.taxtalkblog.com/?p=2710>> [Accessed 25 April 2011.]
- 19 These donors respond to fundraising calls for support by simply giving money that will cover the organisation's financial needs. They enjoy hearing about the organisation's great work but do not get further involved. See <<http://www.achieveguidance.com/blog/how-do-i-get-more-involved-a-donor-engagement-system>> [Accessed 23 April 2011.]
- 20 Grace, KS. and Alan, LW. 2001. *High Impact Philanthropy: How Donors, Boards, and Nonprofit Organizations can Transform Communities*. New York: John Wiley & Sons Inc. p.14.
- 21 Please see Nikki Funke, Shanna Nienaber and Christina Goia's chapter on AMD advocacy efforts in this book.
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- 29 See http://www.primakers.net/files/2a_Ford_History.doc
- 30 See <http://www.rwjf.org/files/research/anthology2002chapter10.pdf>
- 31 See http://www.primakers.net/files/Babcock_Foundation_Case_Study.doc
- 32 Refer to http://www.knottfoundation.org/cashflow_loans/program_related_investing
- 33 See http://www.macfound.org/site/c.lkLXJ8MQKrH/b.948589/k.D3BA/Domestic_Grantmaking___Program_Related_Investments.htm
- 34 More information available at <http://www.packard.org/categoryList.aspx?RootCatID=3&CategoryID=216>
- 35 See http://www.bankofamerica.com/community/index.cfm?template=cdb_progrelinvest
- 36 Overholser, GM. *Nonprofit Growth Capital: Defining, Measuring and Managing Growth Capital in Nonprofit Enterprises. Part One: Building is not Buying*. Available at <http://www.grantcraft.org/?pageid=1247> [Accessed 24 February 2011.]
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Government and access effects on the use of social networking sites by nationwide NGOs in the US, South Africa and Mexico

Jason Johnson

Since the advent of affordable access in the early 1990s, practitioners around the world have discussed, dissected and fantasised about using the Internet to transform politics.¹ In recent years, social networking sites (SNSs) such as Twitter, MySpace and Facebook have been pinpointed as catalysts for mass political behaviour across the globe.

From elections in Egypt: ‘... young Egyptians also were mobilising and venting their anger over Gaza on what would, until recently, have seemed an unlikely venue: Facebook, the social-networking site.’² – to social protests in Iran: ‘If revolutions had mascots, the one unfolding in the streets of Tehran would be forever linked with an iPhone. After all, what better match for the Twitter Revolution as some pundits have already dubbed the Iranian protests?’³ – to various coloured revolutions such as the Orange Revolution in the Ukraine⁴ and the Saffron Revolution in Burma: ‘... The long string of planned protests on the Facebook group’s page – including a call-in protest tomorrow to Chevron for doing business in Burma – shows that activists are unwilling to give up their fight to keep Burma on the media’s radar.’⁵ SNSs have been instrumental in getting news live and instantly to people around the world.

Despite such high praise for their ability to empower mass movements and organisations across the globe, there is actually very little research documenting SNSs and their specific impact on a nation’s political development.⁶ In fact, there is scepticism about the overall impact of SNSs in many social movements. Some argue that SNSs are merely useful toys that capture movements already in place, rather than being a catalyst for the creation of movements.⁷ Others question whether SNS activity actually translates into real-world activism as opposed to just providing an outlet for people to vent. ‘To date, the passion and interest for sharing political and policy information far and wide through SNSs – particularly by and for young people – doesn’t match the capability of the SNSs.’⁸

The problem

SNSs are fast-growing influential communities of young, often educated, and financially viable people across states, borders and nations. However, while they have successfully driven many social movements in the last decade, they have not generated significant academic interest. This analysis will investigate how non-governmental

organisations (NGOs) and advocacy groups in nations with differing levels of Internet penetration and democratic freedom use SNSs. The results should shed light on the extent to which SNSs truly impact on advocacy around the globe, as well as the degree to which various governmental systems may influence that reach. The three nations analysed in this chapter are the US, Mexico and South Africa.

The first part of this analysis will briefly review what SNSs are and will specifically focus on the differences between various sites. Next, we will discuss technical terms such as the ‘digital divide’ and Internet penetration and see how these concepts potentially influence the use of SNSs. Then we will establish the levels of democratic development in the three chosen nations namely, the US, Mexico and South Africa. Finally, we will analyse the various sites and their uses before discussing how NGOs can possibly use SNSs to spur political action.

A brief history of social networking sites

According to Danah Boyd, one of the foremost scholars on the cultural impact of SNSs, these sites are:

.... web-based services that allow individuals to (1) construct a public or semi-public profile within a bounded system, (2) articulate a list of other users with whom they share a connection, and (3) view and traverse their list of connections and those made by others within the system. The nature and nomenclature of these connections may vary from site to site.⁹

These sites allow members to share various forms of information electronically, including pictures, videos and different types of text. SNSs have become extremely popular over the last decade and are based or target an increasingly wide array of nations. The most popular SNSs around the globe, according to <http://www.Alexa.com> – a website that tracks Internet activity – are MySpace, Facebook and Hi5, although there are hundreds of sites that are incredibly popular in only one nation or one particular language.

Depending on the level of privacy they afford, SNSs fall into one of two categories – internal social networks (ISN) or external social networks (ESN). In broad terms, an ‘ISN includes a group of individuals usually from an association, company, education provider, organisation and sometimes with an ‘invite only’ group that is brought upon by user in an ESN. An ISN is private. Unlike an ISN, an ESN is more open to the public. This allows any web user to utilise in terms of communication and advertisers are permitted. ESNs can be broken into individualised web communities or they can be overall social networking sites.’¹⁰

Simply put, these distinctions determine a member’s likelihood of meeting strangers within the site or inviting others to join it. For instance, <http://www.>

BlackPlanet.com – one of the oldest and most popular SNS sites targeting the African American minority in the US – all that is required is that members join the site and set up a profile. Upon completion, anyone can view your site and members are free to browse the sites of others based on any criteria they wished (initially by gender, age, geographic location). Later SNSs created various levels of privacy and limited the degree to which new members could interact with existing members on the site. On MySpace, for example, new members could decide whether their site was visible to everyone, or limited to those they had ‘friended’¹¹ or whose network they had joined. On Facebook, you were automatically able to view the profiles of anyone in your network based on how you joined the site (that is, by your job or region or place of education), but only ‘friends’ or those who have linked their profiles together can see certain, primarily personal, information.

Some research and anecdotal evidence suggests that, while the majority of social network users are young, educated and are of average-to-above-average socio-economic status in their respective nations, the SNS world is not a utopia. In many cases, SNS users simply go online to socialise with people they already know in the real world or, worse, SNS use tends to reinforce existing societal cleavages.¹² This may be in terms of race and class, or even in some cases caste or religion. In addition, SNSs that discriminate based on language further entrench cultural enclaves, possibly to the group’s detriment.

Penetration, access and the digital divide

The ‘digital divide’ is a key issue in any discussion linking SNSs and political action. The term describes a variety of economic, logistic and sociological factors that limit an individual’s access to the Internet – oftentimes limiting access for those who need public support the most.¹³ Moreover, it routinely extends existing social cleavages such as race and gender. For example, the digital divide was largely responsible for the lack of investment in Internet business concepts and ideas in the early dot-com era. As Nzegwu Nkiru explains:

During the boom years of the dot-com industry, both program[me] officers of non-profit agencies and fund managers of investment firms used a set of physiological traits to gauge the potential success of an Internet scheme. The traits are: male body, white skin, youth and recent degree from prestigious school. ... African woman of the wrong colour with an unpronounceable name ... Everyone knows that such people are not Internet savvy, imaginative and resourceful.¹⁴

While pre-existing class and racial prejudices do influence the digital divide, analysts frequently blame it on government policy and economic stratification within and between nations.¹⁵ Menzie Chin and Robert Fairlie, for instance, simply cite economic

differentiation both within and between nations as a key factor: ‘The global digital divide is mainly – but by no means entirely – accounted for by income differentials.’¹⁶ Mauro Guillien and Sandra Suarez go one step further arguing that economic policies are, in fact, an extension of the functions or dysfunctions of a government. ‘Differences in Internet use are the result of an array of forces over which governments and multi-lateral organisations have varying degrees of influence. Governments can certainly implement specific policies that would make this medium more widely used by the population; namely, privatisation and deregulation of the telecommunications sector, and introduction of more competition.’¹⁷ Therefore, by creating policies and establishing community spaces and competitive economic policies, governments can also significantly influence how advocacy groups access SNSs. But what does ‘accessing the Web’ actually look like?

According to <http://www.internetworldstats.com> (a website dedicated to collecting general information about web usage across the planet), Internet access or penetration is broadly determined by ‘... the total population of a given country or that uses the Internet’.¹⁸ However, this definition includes and does not adjust its figures to account for infants and those who are illiterate. Equally problematic is the website’s broad definition of an Internet ‘user’ as anyone who conceivably has access to the Internet. First, it does not distinguish between home Internet users and those who access the Internet at public places, community centres, via cell phones or only at the workplace. Second, the term ‘user’ applies to anyone with reasonable access to the Internet, and does not consider how frequently he or she does so. These sweeping definitions, however, do reflect the diversity of Internet use and access around the world.

Hypotheses

Using this background, this chapter will first test the following assumption: *the lower the level of Internet penetration in a nation, the lower the use of SNSs by NGOs and advocacy groups*. Naturally, the hypothesis presupposes that advocacy groups voice the concerns of those who feel left out of government discourse or do not have access to government resources. Furthermore, since a nation’s government primarily controls Internet access, those constituents with low Internet penetration and limited access to the Web will not see the value of an online presence. However, this implies that the opposite is equally true. Therefore, this chapter will also test the converse hypothesis and see *if the level of Internet penetration in a nation is higher, more NGOs and advocacy groups will use SNSs*.

Finally, after establishing a democracy hierarchy, this research will also determine *if the higher the level of democratic freedom in a nation, the more likely NGOs will use SNSs*. The hypothesis assumes that NGOs proliferate and are more innovative under democratic regimes. Therefore, innovative technology use, like SNSs, is more likely to occur in a less oppressive and more democratic nation.

Democracy and social networking sites

Eric Welch and Wilson Wong, like Gullien and Suarez, argue that the government influences Internet policy, access and use. Additionally, studies by Freedom House prove that a nation's level of political freedom correlates with the amount of 'net freedom' citizens and organisations enjoy.¹⁹ Even Reporters Without Borders – an offshoot of Doctors Without Borders – note in their annual report on regimes that intimidation, prosecution or simply filtering programming are all tactics used to restrict Internet use.²⁰ Nowhere is this more evident than in China during the social protests in 2009, where access to the Internet was one of the first things shut down by the oppressive regime. 'China has cut access to popular social networking sites Facebook since March and Twitter since July, citing the need for social harmony. The frontier region of Xinjiang has been unable to access any outside websites since deadly ethnic riots in July.'²¹ Surprisingly, press and Internet censorship is not limited to oppressive regimes. In fact, there are different levels of freedom and activism within democracies that are worth analysing. For this reason, this chapter will compare three nations – namely, the US, Mexico and South Africa – with varying levels of political participation and freedom and assess the impact each has on advocacy work done through SNSs.

Research criteria

Democratic theorists typically use a few basic criteria to classify democracies or, in the case of nations moving towards democracy, levels of democratic consolidation.²² Most importantly, as Alvarez Przeworski et al. describe, a democracy must include '.... a system in which incumbents lose elections and leave office when the rules so dictate'.²³

Based on this and a few other features, it is suggested that a nation can represent either a liberal democracy, a mid-level democracy or a low-level democracy. A typical liberal democracy guarantees a peaceful transfer of power, universal suffrage for all citizens, the right to freely express oneself either in the press or in citizen mass action, and an 'institutionalised uncertainty' – where various parties compete in an election whose outcome is uncertain.²⁴

Many nations have various sanctioned parties but only one party has a realistic chance of success. Consequently, one-party rule, either through violence and intimidation or through ineffective and weak competition, prevents a nation from achieving the status of a truly 'liberal' or 'strong' democracy. Concepts such as suffrage and a free and open press are also, in some respects, linked directly to an individual's ability to access information or link with other likeminded individuals online. Using these criteria in conjunction with the Freedom House annual reports on each nation, we will now classify our three nations based on their level of political development.

The United States of America

Freedom House and democracy analysts in general consider the US to be a prime example of a liberal democracy. While no nation meets all of the criteria for a perfect democracy (and Freedom House is partially funded by the US government which no doubt influences its assessments), the US does score high when using the above criteria. The US has provided universal suffrage to all citizens over the age of 18 without a criminal record *de jure* for a little over half a century, with women eventually receiving the right to vote in the early twentieth century and local laws denying African Americans the franchise reversed in the 1960s. The US has a fairly open and accessible system of news outlets on free television, radio and reasonably accessible Internet outlets. The federal government tolerates protests, while infrequent on a national scale, with minimal restrictions. Finally, at the federal and individual state levels, the US has had consistent ‘institutional uncertainty’ between the Democrats and the Republicans – the two main parties in the nation. In fact, one-party rule of any branch of government, local or national, is the exception rather than the rule. Moreover, despite hotly contested presidential elections in recent years, losers have agreed to leave office peacefully.

Mexico

Mexico is an example of a mid-level democracy. While it offers universal suffrage to its citizens, there are consistent reports of limited electoral access for indigenous Mexican Indians and the poor, especially in the southern part of the nation. There is a free press and several major newspapers serve the major states. However, according to Freedom House reports, journalists are routinely intimidated and killed. This claim is validated by Journalists Without Borders which cites that, in 2008, at least three reporters went missing and another four died while investigating government corruption. Protests on a national scale are common and while legally accepted, they descend into violence on a regular basis. In an effort to stem the power of drug cartels, the Mexican federal government has increased the scope of its law enforcement policies. Unfortunately, these policies also exacerbate the nation’s political temperament.

Finally, the nation has only recently begun to experience ‘institutionalised uncertainty’ at the presidential level. After dominating the Mexican presidency for 71 years, the PRI’s reign finally ended in 2000 when the PAN (National Action Party) led by Vicente Fox won the presidential election. While the PAN, the PRD (Party of Democratic Revolution) and the PRI (Institutional Revolutionary Party) have, on occasion, vigorously competed in local state and mayoral elections, Fox’s election raised questions about whether Mexico had truly embraced a competitive electoral system or if this election was an anomaly. However, the presidential election of 2006 suggested that perhaps Mexico had turned the page to become a competitive electoral system on the national stage. The PAN’s 2006 re-election victory over the left-leaning

PRD with the PRI a distant third, although questionable, suggests that Mexico may be in the early stages of a vibrant three-party competition for all levels of office.

South Africa

Unlike the previous two nations, South Africa's nascent democracy can only score a 'low-level' status. In an effort to escape its 46-year-old Apartheid legacy, South Africa enacted one of the world's most progressive constitutions in 1996. The Constitution guarantees a free press, which inexperienced political activists often use to defame key public figures. The 1994 'liberation elections' were the first to guarantee universal suffrage regardless of race or gender. Unfortunately, the ANC has dominated the country's presidency and, thanks to its proportional representation system, the selection of candidates selected to sit in its national and eight of the nine provincial legislatures. For reasons described elsewhere in this book, the ANC's dominance at the national level effectively precludes true multiparty competition and, to some degree, an 'institutionalised uncertainty'. Although, the 2009 national and provincial elections saw some ANC stalwarts split to form a splinter party called COPE they, along with the DA, still failed to muster 50 per cent of the popular vote.

Research methodology

To determine the validity of the three hypotheses under investigation, the research focused on seven SNS sites fitting four specific criteria. First, based on results from several web-tracking companies and sites,²⁵ the SNS had to be the most popular in at least one nation on the globe, or receive at least 15 per cent of its users in one country. Second, the SNS must be available and accessible in at least two languages. This was critical because China has several hugely popular SNSs with millions of members but they are only accessible in Chinese. Third, the SNS must have at least five million members. Finally, the SNS had to be accessible in more than one of the three chosen nations. With one exception, MXit, which we will discuss in detail later, all of the websites met this criterion.

Next, 150 randomly selected NGOs from each nation were examined to determine if they used any SNSs as part of their advocacy work. The task proved easier in the US and South Africa where relatively accurate and consolidated lists of NGOs are free accessible. However, in Mexico's case, two lists were required because a single comprehensive list with 150 organisations was not available. An online search of each organisation determined whether the organisation had a website, and whether it used any of the social networking sites chosen for this research. This research acknowledges that it is possible for an organisation not to have a web presence and still actively use SNSs, but this is highly unlikely.²⁶

Results

It is evident in Table 13.1 that Internet penetration varies extensively in all three nations and that this result is almost consistent across all levels of penetration. Furthermore, each nation's level of Internet penetration is almost three times the level of the next nation. Given that the global average for Internet penetration is 23,8 per cent, the three nations chosen provide a good cross-section of Internet use across the planet.

Table 13.1 Internet penetration in the three nations

	Internet penetration	Internet users per 100 citizens	Cell phone subscribers per 100
USA	74,1% (Sep 2009)	71,9 (2007)	83,5 (2007)
Mexico	24,9% (Mar 2009)	21,4 (2007)	64,1 (2007)
South Africa	10,5% (Mar 2009)	8,2 (2007)	87,1 (2007)

Source: Information derived from <http://www.worldinternetstats.com>

It is worth noting, however, that despite South Africa's lower level of Internet penetration, the nation has a higher cell phone penetration rate than either of the other two nations. This is partly because Apartheid policies denied the Black majority basic telecommunication infrastructure. Consequently, when Apartheid finally ended, individuals found it cheaper and more convenient to buy cell phones than to wait for a public works programme to install telephone landlines. This is significant since modern cell phones are often equipped with Internet access technology and, therefore, South African citizens may actually have a higher level of Internet penetration than the table suggests.

Global traffic ranking of most popular social networking sites

Table 13.2 shows the seven SNSs used in this study. Clearly, Facebook and MySpace are the two largest sites, with each recording more membership than the other five sites combined. The visiting rank is determined by how many individuals visit the particular site among all recorded websites all over the world on a given day. This is especially significant given that search engines such as Yahoo! and Google are included in these rankings.

Table 13.2 Estimated number of profiles on the most popular SNSs

	MySpace (2003)	Facebook (2004)	Orkut (2004)	MXit (2006)	Sonico (2007)	Hi5 (2003)	Twitter (2006)
Visiting ranking (November 2009)	9	2	49	76 620	493	21	15
Estimated number of members total (November 2009)	263 (million)	300 (million)	67 (million)	5,7 (million)	17 (million)	80 (million)	44 (million)

Source: Information derived from <http://mostpopularwebsites.net/>

Table 13.3 addresses part of our first hypothesis. The table demonstrates that overall SNS usage seems to correlate directly with a nation's overall Internet penetration levels. For instance, the US has the highest Internet penetration of the three nations. It also accounts for the vast majority of users on MySpace, Facebook and Twitter. In fact, it contributes a measurable number of users to five of the seven major SNSs around the world.

Table 13.3 Most popular SNS per nation (2008–2009)

	MySpace	Facebook	Orkut	MXit	Sonico	Hi5	Twitter
US	62,5%	30,1%	8,7%	N/A	4,8%	N/A	62,4%
Mexico	3,4%	2,0%	N/A	N/A	18,6%	17,5%	1,0%
South Africa	N/A	1,3%	N/A	71,3%	N/A	N/A	0,85%

Source: Information derived from <http://www.Alexa.com> and other sites ²⁷

Meantime Mexico, with the second highest Internet penetration, recorded noticeable use on five of the seven SNSs although the percentage of Mexican members on each site (with the exception of two, Sonico and Hi5) is significantly lower than that of the US. This is to be expected since Sonico was created to specifically target Latin American consumers. It is, nevertheless, interesting to note that almost 5 per cent of Sonico's members originate in the US, perhaps capturing the rapidly growing Latino population in the US.

South Africa, the nation with the lowest Internet penetration in our sample, has almost negligible membership numbers in all but one of the listed SNSs. However, the lack of SNS access is not as striking as the large number of South Africans who are members of the MXit SNS. Access to MXit is primarily via cell phone, therefore its South African popularity and membership is not surprising given the information provided by Table 13.1. This may also explain why, despite South Africa's generally lower Internet penetration level, the nation has essentially the same percentage of

members on Twitter as Mexico. Twitter is a micro-blogging SNS primarily used and accessed through a cell phone. Once again, South Africa’s unique blend of low Internet penetration and high cell phone penetration makes them an interesting case for social networking use.

However, a few other points about the above tables stand out. First, a SNS’s focus may prove to be more significant than where it was created. As mentioned earlier in the chapter, social movements around the world use SNSs like Twitter even though it is primarily in English and based in the US. Orkut, also started in the US, was never popular there but is extremely popular in Brazil and India. And despite Swistgroup’s – the creators of MXit – London headquarters, members in South Africa mostly use its SMS technology. Given these facts, the next logical question is: how many social advocacy groups and organisations use SNSs in individual countries?

Using social networking sites in three nations

For this part of the analysis, we took a random sample of 150 NGOs from all three nations and looked to see whether they used any of the seven main SNSs already chosen.

Table 13.4 NGO use of SNSs

	MySpace	Facebook	Orkut	MXit	Sonico	Hi5	Twitter
US (N = 150)	3	27	N/A	N/A	N/A	N/A	21
Mexico (N = 150)	N/A	N/A	N/A	N/A	N/A	N/A	1
South Africa (N = 150)	N/A	6	N/A	N/A	N/A	N/A	9

N = the number of NGOs sampled

The results are consistent if somewhat unsurprising. Of the NGOs listed in our sample, very few use SNSs. The nation with the highest level of Internet penetration does seem to have the most organisations using social networking technology, which comports with our first hypothesis. However, the evidence does not seem to support the opposite theory posited by our second. South African NGOs appear to use social networking technology more than Mexican NGOs despite having lower levels of Internet penetration and being lower on our scale of democracy than Mexico. In fact, from the research’s sample, only one Mexican organisation made use of any SNSs.

There are some caveats, however, and they paint an even richer picture of how social networking technology is, and is not, used by NGOs in three nations. First, in

the US, various organisations used SNSs but did not list the fact on the organisation's main website. One prominent example was Doctors Without Borders, who actually have a MySpace page and yet do not indicate this on their main site. In addition, the SNS LinkedIn, a site targeting and connecting professionals looking for work, featured prominently on many US NGO websites even when MySpace, Facebook or Twitter did not. Even more surprising was the fact that our sampled NGOs have no presence on MySpace – an SNS with a powerful and relatively large young adult membership.

A search of Mexican SNS use revealed similarly sparse results. Of the NGO sample reviewed, only one used any SNSs to communicate and interact with its members. This is odd given the popularity of SNSs like Hi5 and Sonico in Mexico. Even though Sonico did not allow members to create 'groups' for political action on the site until July 2009, NGOs in this sample still question its viability. What also makes these results surprising is that, unlike the advocacy groups, the Zapatista Movement and political parties in Mexico have launched Internet campaigns to communicate and interact with supporters around the globe. Perhaps in the Mexican case, individuals and spontaneous movements employ social networking more than the venerable organisations. For example, in Mexico's 2009 congressional elections, Andrew Lajous and Oscar Salazar created their own SNS to allow members to exchange information on voter fraud and intimidation during the election. While Lajous and Salazar's actions bypassed known SNSs, their influence is clear. 'Lajous and Salazar modified the open source code of Ushahidi, an online platform that has been used to manage electoral information in India, Lebanon and Kenya and included an option to add updates through Twitter ... The participants were reportedly motivated by the use of technology in other recent world events, such as the recent elections in Iran.'²⁸ This and recent movements on Twitter that have successfully thwarted congressional attempts to tax Internet access, suggest that perhaps the Mexican use of SNSs is not so much lacking as unique. Perhaps SNS use is limited to spontaneous movements rather than established ones, or perhaps the staid consistent nature of advocacy work does not require the kind of rapid information transfer that is required for quick policy responses or revolutions. This is certainly an area worthy of more research.

The South African case is intriguing because of the seemingly contradictory use of social media and the relatively low levels of Internet penetration. South African NGOs seemed to use social media more than their Mexican counterparts but not the SNS that is most popular in that nation. Twitter, as explained before, is a social media site that requires little or no advanced Internet access. Individuals can send and receive 'tweets' (or the micro-blog messages that comprise the majority of the content on Twitter) via cell phone text or SMS messages making it an ideal choice in a nation with such high cell phone access but relatively low Internet penetration. However, South African NGOs hardly use Twitter and MXit despite their high use across the country and their relatively easy accessibility through cell phones.

There are several reasons why many NGOs in South Africa do not use or perhaps underutilise SNS technology and they are primarily cultural and financial. On the cultural level, many poor Black South Africans see the Internet as an upper-class toy that has no real connection to their daily lives. Sharing phones between friends and families is common and the value of mobile Internet connections and SNS involvement simply does not make sense to many South Africans. Further, the expense of using SNS technology, even relatively simple programmes such as Mxit and Twitter, carry a financial toll that many South Africans are not willing to bear. Whereas many US cell phone service providers include texting as a standard feature on their calling plans, in South Africa many phone plans still require owners to pay per text or per word.

To be clear, NGOs are not totally ignoring Mxit. In many cases, NGOs have made use of the technology, just not as extensively as expected. Sangonet, the Southern African NGO Network, is dedicated to improving NGO Internet use and SNS technology. Under their sponsorship, NGOs have learnt to how to use Mxit and other technologies to assist various communities. However, even upon reviewing the South African NGO Web Awards recipients for innovative web use over the past few years, there is still a wide disconnect between opportunity and use. While some of the rewarded organisations use Facebook and Twitter, they still fail to make adequate use of the nation's most popular site Mxit, let alone other sites of local interest like the Grid. This suggests, as mentioned earlier, that perhaps government intervention to lower the access costs to the Internet might be required before SNS technology becomes useful to NGOs and equally useful to the citizens they seek to serve.

Similar to Mexico, South Africa's major political parties seem to have adopted the value and use of SNSs more than many of the NGOs. The four major parties in South Africa (ANC, COPE, DA and IFP), all have websites and pages on Facebook.²⁹ Further, political parties have spent time and effort on their web presence combining as many aspects of the political campaign process as possible. A recent debate was held over Twitter, and even the leaders of parties made a point of showing that they 'tweet' to keep the public involved with policy.³⁰

Conclusion

The Internet as a whole has the capacity to rapidly transform the way citizens around the globe share information, react to governments and express themselves. In addition SNSs, in particular, provide NGOs with the opportunity to stay in consistent contact with those they serve or, in the case of larger social movements, they provide a way for members in the field to stay in contact with those who create strategy. This chapter has shown that the largest impediments to SNS use by NGOs are a nation's low level of Internet penetration and further structural and cultural impediments associated with the 'digital divide'. However, this research has also shown that many of these impediments alone may pale in comparison to an organisation's simple lack of

innovation and creativity. Mexico, which has above average Internet penetration and an active SNS community, has very few organisations using SNS technology. In South Africa, despite its low Internet penetration and high cell phone penetration, very few organisations use or are considering using SNSs to communicate with their members and/or citizens in general. In the US, while many organisations use SNSs, there is a seeming bias in those that are used.

Given that grassroots organisations across the world seek to change and influence their environment and promote global issues such as women's rights, it is somewhat disappointing that they do not use SNS networks such as Hi5, Orkut or MXit more widely. Indeed, Hi5 is extremely popular in Europe among the college educated and generation X and generation Y Internet users. Orkut is an SNS that has found a niche in South-East Asia, gaining many members from India, and MXit is very popular in South Africa.

Perhaps their limited use is because organisations simply do not know how to design and implement an effective SNS strategy. However, most NGOs in the US use a rudimentary SNS strategy, which might provide a low cost but effective framework for entities in countries such as Mexico or South Africa. Organisations such as the National Organisation for Women and Greenpeace typically use their SNS sites for two main purposes – communication, and membership maintenance and mobilisation. For instance, it is expensive to fly various members of an organisation from all over the country to one location. It is also confusing to hold a conference call with more than three participants.

Consequently, US NGOs commonly design and use bulletin boards on their SNS sites to allow members to post and share information, effectively creating an Internet meeting portal. Not only does this strategy lower the cost of meetings among members, it also facilitates a rapid exchange or discussion of ideas. In addition, the recorded series of posts allow other members to contribute or recap the discussion at their leisure. This form of 'bulletin board' organising could be especially effective for nations such as Mexico and South Africa, where often those in need of service are in rural areas with limited telecommunications access. For example, one can post extensive advice about issues ranging from sexual health to farming practices on an online bulletin board, which can be accessed when the information is required.

Moreover, SNS technology has successfully mobilised, maintained and updated the members of several grassroots organisations. For instance, members serving populations in need often run into questions, have problems or need encouragement while serving. SNS websites allow members to create profiles to identify themselves, and their needs and even allow them to champion their or their colleague's service for the organisation. In the US, labour organisers often link up through their unions and create profiles based on their type of work, their region of the country, and their time of service. Something similar is equally doable in both South Africa and Mexico. Rather than spending days trying to find out if there are any surgeons serving in

Chiapas, staff at the Mexico City branch of Doctors Without Borders can simply log onto the NGO's SNS group and search for suitably located surgeons and review their profiles. Essentially, the entire organisation's membership is current, readily accessible and easy to contact and mobilise.

Ultimately, SNSs give NGOs and activist movements access to perhaps the largest and most active groups of people on the planet. SNS members often represent the young, active, educated and affluent segments of society in the nation in which they join. With that in mind, in a world with increasingly powerful political forces that transcend national borders, the research presented here suggests that more research should study the potential use of SNSs for advocacy groups.

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The ability of social movements to affect policy change in South Africa and the US: Comparing and contrasting key elements of HIV/AIDS treatment and welfare entitlement campaigns

Adrian Di Lollo

The ability of social movements and civil society to influence the public policy-making process is an issue that has profound implications for the future of South Africa's democracy. While the country's free and fair elections and its level of voter security¹ are highly rated, the state of *participatory democracy*, whereby citizens can have meaningful input into policy making by means other than voting for representatives, is far less developed. And as other authors in this book have pointed out, the tendency and ability of the government to make decisions without direct input from civil society represents a flaw in South African democracy.

A key theme of democracy in South Africa has been the difficulty in enacting policies, even pro-poor policies, when such initiatives face significant opposition from powerful figures in the executive arm of government. Using the precepts Rick Farmer and Jason Johnson outlined earlier, this chapter presents two issue-based campaigns that triumphed despite this general trend: the Treatment Action Campaign's push for a comprehensive treatment plan for people living with HIV and AIDS, and the children's sector campaign to extend eligibility for the Child Support Grant from 14- to 18-year-olds. In addition, this analysis compares these South African initiatives to similar ones in the US to illustrate that, regardless of its location, successful advocacy relies, among other factors, on persistence, coordination and research.

The Treatment Action Campaign (TAC)

By 1998, the AIDS epidemic had hit crisis proportions in South Africa and many activists felt that the government's response was, at best, inadequate. The Treatment Action Campaign (TAC), a social movement established in Cape Town in December 1998, advocated for expanded access to treatment, care and support services for people living with HIV and for measures to reduce new HIV infections.² As the official government response to the epidemic degenerated into questioning whether there was a link between HIV and AIDS and denying that anti-retroviral (ARV) medication was a proven and effective treatment, the organisation grew and its activities expanded into a national multifaceted grassroots movement.

The TAC's ARV³ campaign exemplified a deliberative democracy approach.⁴ Closely related to the concept of participatory democracy, deliberative democracy is an approach to political decision making that relies on meaningful popular input and

emphasises the deliberative procedure itself as the source of legitimacy. Furthermore, this approach depends on each member recognising and respecting the deliberative capacity of all other members; it is based on independent association, underscores a commitment to pluralism values and aims in the collective.⁵

Using this democratic framework, observers such as Nozizwe Madlala-Routledge⁶ found that the TAC campaign emphasised the deliberative process and created opportunities for it to be utilised widely by the membership. She also noted that the campaign identified its key issues through this paradigm and framed them for the public in much the same way. In fact, the campaign offered opportunities for people, particularly Black women whose voices are often drowned out, to use their collective agency.⁷ In doing so, the campaign spread its message using grassroots discourses, in churches, in schools, in clinics and through any number of social networks. Rather than being directive, the campaign prompted members to consider and discuss issues themselves and develop strategies they considered suitable for their own environments.

The campaign's powerful and widespread grassroots legitimacy was a key reason for its ultimate success. As Siphokazi Mathathi⁸ noted, the TAC had a palpable presence in some of the most remote communities in the country. In addition, this vast network helped to deflect the inevitable brutal political backlash because it successfully contextualised the issue for so many people, empowering them and strengthening their solidarity in the process.

As the movement broadened and evolved, more and more people articulated what was essentially the same message in a wide range of forums. One such forum was the ANC branch system. Convincing ANC supporters that the government's position on ARV treatment was fundamentally wrong was an enormous task.⁹ However, many TAC members, including former TAC co-founder and former chairperson Zachie Achmat, were also loyal and active members of the ANC.¹⁰ These dual members often raised the campaign's issues at ANC branch meetings and other party fora. While some of them were subjected to bitter accusations of betrayal and hounded out of branches, the presence and activities of TAC activists within the party structure created the opportunity for many ANC members to learn about the true nature of the virus, the soundness of ARV treatment and the social justice issues relating to HIV and AIDS.

Despite this, many structures and senior figures in the ANC and its alliance partners (with the exception of Cosatu)¹¹ steadfastly resisted the TAC's message.¹² However, the government's position on ARVs did not carry overwhelming support within the ANC or the alliance and, faced with the TAC's growing support within the party's branches and structures, many senior ANC figures were forced to reconsider their position.¹³ In 2002, a revolt took place at an important ANC conference when some delegates spoke against the government's inaction. Internal dissent, in various forms, grew over the next few years. Madlala-Routledge argues that by 2006, 'the former President [Thabo Mbeki] simply did not realise that the TAC had won over the majority of the country and all key institutions'.¹⁴ It is also highly likely that the

majority of Mbeki's own cabinet members were convinced of the TAC's message of the soundness of ARV treatment.

When the campaign collaborated with legal practitioners and institutions like IDASA and used litigation to redress the government's ARV policy, some senior ANC figures saw it as the ultimate confrontation. An impressive series of judgments in the TAC's favour probably reinforced these views. However, even with a tactic as complicated and esoteric as litigation, ordinary TAC members were not excluded. As Nathan Geffen notes, TAC members were encouraged to take a proactive stance and write affidavits supporting litigation rather than simply leaving such matters to the lawyers.¹⁵

A critical part of the campaign, and another pillar of its success, was the Treatment Education Programme – an initiative that took up approximately half of the TAC's budget.¹⁶ TAC branches implemented treatment literacy efforts in communities around the country while the national office formed important partnerships with other organisations such as Absolute Return for Kids (ARK) and the Desmond Tutu HIV Foundation. As part of the Treatment Education Programme, special seminars were held for the media so that journalists could learn a range of important factors (for example, how HIV causes AIDS, how ARVs work, etc.) which would enable them to expose denialist myths. Politicians from different political parties also attended these seminars.

Critically, however, the Treatment Education Programme helped TAC members themselves become effective campaigners. Armed with cutting-edge medical information on the HIV virus, AIDS-related illnesses and treatment, members were able to inform people in their communities about prevention and ARV treatment and consequently build solid grassroots support for a comprehensive plan. However, it was not only information on the virus, prevention and treatment that the members imparted in their communities. The activists also drew critical links between the epidemic and broader issues of human rights and social justice. In clinics, for example, TAC members would often teach people why HIV/AIDS was also a political issue.¹⁷

Effective engagement with the media was also a key pillar of the campaign. Bolstered by the Treatment Education Programme, the TAC developed a strong working relationship with many journalists and media outlets resulting in a well-informed level of reporting. Exposing denialism along with human-interest stories in the media went a long way in educating the public and placed increased pressure on the government.

In addition, the TAC sought the support of three of the country's Chapter 9 institutions. Chapter 9 of the Constitution of the Republic of South Africa creates six independent public institutions, each with a specific mandate to safeguard and promote key aspects of South African democracy. The ARV Treatment Campaign approached the Human Rights Commission, which has a broad mandate to monitor racial, gender and other discrimination within the context of the constitutionally

defined set of political, civil, social and economic rights; the Public Protector's Office which investigates conduct or administration in any part of the government that is alleged to be improper or result in any prejudice; and the Gender Commission which promotes 'respect for gender equality and the protection, development and attainment of gender equality'.¹⁸

Unfortunately, in contrast to the TAC's successful media strategy, its attempt to engage Chapter 9 Institutions amounted to very little. The various of issues raised by the TAC fell well within the purview of the Human Rights Commission, the Public Defender's Office and the Gender Commission. However, while the TAC engaged with all three and strongly made its case, no Chapter 9 Institution was willing to take on the government on the issue of HIV.¹⁹ The Gender Commission was particularly unresponsive despite the range of gender issues associated with the epidemic, including the fact that woman were contracting HIV and dying of AIDS in disproportionate numbers. However, the TAC's ongoing interaction with the National Economic Development and Labour Council (NEDLAC), a national parastatal, was useful in that it helped to raise public awareness even if it did not prompt the organisation to take a strong stance.²⁰

The TAC's ability to operate well in coalition with other organisations and movements also bolstered the campaign. Siphokazi Mthathi²¹ defines the TAC as a hybrid organisation because, in one instance it is a social movement in its own right with a formal membership base, and in another instance it is a partner in a coalition and part of a broader mass movement. The TAC took what Mthathi calls a *sectoral* approach because it actively sought to build strong alliances with groups with different areas of primary interest. Faith-based organisations, for example, were vital participants in the campaign, as were labour interests represented, in particular, by Cosatu. This type of coalition building also allowed the TAC to use a range of institutional fora to reach a diverse group of people and explain the critical link between HIV/AIDS and other areas of concern. Such areas included woman's rights, the right of access to medical treatment, labour and industrial issues, as well as poverty and deprivation.

Using the Internet, the TAC was also able to mobilise allies overseas. The international media, in particular, began to cover the South African government's stance on HIV/AIDS and the TAC's advocacy campaign. The international press began to pester national government ministers with embarrassing questions about the government's ARV policy wherever they travelled. And in some countries, they were also confronted by organised protests. The ministers were flabbergasted at the campaign's power and reach.²²

The TAC was careful to steer away from the NGO organisational model²³ and remain a membership-driven social movement – the TAC's core constituency and membership overwhelming comprised the very people affected by the epidemic, namely poor Black Africans. This deliberate strategy not only strengthened the campaign's organisational and grassroots foundation but it also made the government

increasingly nervous.²⁴ Without its membership base, the TAC would have been just another think tank issuing press releases and the occasional report.²⁵ However, the TAC could probably have engaged White professionals in a more meaningful way in the ARV treatment campaign²⁶ and possibly other campaigns. Some of this constituency felt effectively excluded despite being extremely supportive and willing to assist.

In his book *Debunking Delusions: The Inside Story of the Treatment Action Campaign*,²⁷ Nathan Geffen acknowledges that the TAC campaign was only feasible because ‘South Africa is a democracy where people have the freedom to organise in opposition to state policy’. He also acknowledged that, if the right to freedom of association had been compromised, if freedom of assembly had been stifled due to ‘law and order concerns’, if robust public criticism of the Ministers of State had been limited by law or if the media had been prevented from revealing the folly of government under the guise of ‘protecting information’, the TAC campaign could never have functioned in the way it did or achieve what it did.

The TAC’s ability to straddle both direct action and face-to-face engagement was another major strength of the campaign. However, while engaging government is central to civil society activity, Steven Friedman also argues that civil society organisations can exert significant influence without formally engaging government.²⁸ Indeed, such influence can even be exerted when civil society organisation/s are explicitly excluded from official policy processes. Specifically referencing the TAC campaign, Friedman notes that the organisation made significant headway by pushing for and developing a comprehensive HIV/AIDS plan at a time when the TAC could not participate on the National AIDS Council, the official policy forum.

Furthermore, the TAC did not shy away from direct actions such as sit-ins, noisy demonstrations and a range of civil disobedience tactics. Such events involved the mass membership and were frequent and important parts of the campaign that drew public attention to the campaign’s issues. While such activities alienated potentially powerful middle-class supporters, the TAC leadership felt it was more important to take cues for action from their own members living with HIV. Although many HIV/AIDS activists want to take action without engaging, Geffen explains that the TAC always sought to interact with the government but it was willing and able to undertake direct action when ignored.²⁹

Ultimately, the government only changed its HIV/AIDS treatment policy because of the TAC’s sustained campaign of direct action and civil disobedience. For instance, the then Deputy President, Jacob Zuma, by virtue of that office, was also Chair of the South African National AIDS Council (SANAC), which itself was a poorly run entity that lacked strong leadership. After several meetings with Zuma, the TAC achieved few if any tangible results.³⁰ Nevertheless, in 2003 Zuma met with a small TAC delegation and committed the government to implementing a treatment plan if the TAC agreed to end its civil disobedience campaign.³¹ While some TAC members were angry and sceptical about this agreement, Zuma kept his promise. In August 2003,

Cabinet instructed the Minister of Health to develop a plan to provide ARV treatment in the public system. By listening to its members and pursuing a campaign of civil disobedience, the TAC built a working relationship with key parts of government and achieved its goal.

Nonetheless, Health Minister Manto Tshabalala-Msimang continued to balk and undermined the roll-out effort which was progressing at an agonisingly slow rate. When she reaffirmed her support for phoney HIV/AIDS remedies at a 2006 conference, the TAC began a series of meetings with the then Deputy President Phumzila Mlambo-Ngkuka, which ultimately resulted in the development of a multifaceted, multisector comprehensive plan. In March 2007, the Deputy President unveiled *The HIV and AIDS and STD Strategic Plan for South Africa* and asked SANAC to assist in implementing the plan. She also, for the first time, opened up a space in Cabinet for honest, better-informed dialogue on HIV and AIDS matters.³² Finally, in late 2009, President Zuma delivered a speech acknowledging the devastation AIDS had wreaked on the nation and committed his government to fighting the epidemic with renewed vigour. For Geffen, this speech marked the end of a terrible era of denial.³³

Measuring the TAC campaign's effect

What does the TAC campaign tell us about the state of participatory democracy in South Africa? Even more importantly, what lessons did the campaign provide that might help us further develop and extend participatory democracy? While acknowledging the campaign's success on many levels, not least in its empowerment of woman participants, Mthathi strongly believes (like Gerhard Wolmarans did in an earlier chapter of this book) that the South African political system is still stacked against truly democratic participation.³⁴ Mthathi cites numerous contemporary examples where the most marginalised are shut out of the political discourse, are negatively labelled and are even targeted. Rama Naidu concurs and notes that for many poor communities, spoken opposition to government policies is not tolerated, no matter how legitimate the complaint.³⁵ Indeed, dissent is often perceived as a betrayal of the ruling party. Clearly, participatory democracy in South Africa will only be truly meaningful when poor citizens can organise themselves outside political party structures and use meaningful processes to voice their opinions.

However, while redefining and expanding the depth of participatory democracy, it is also important to preserve two key democratic elements that accommodated and contributed to the TAC's success. They are an impartial and independent judiciary which bases its rulings on the law and on the Constitution, free from party political influence, fear or favour; and a free and independent media which has the right to access all public information and which is not restricted from exposing instances of government incompetence, fraud and flawed policy making.

HIV/AIDS advocacy in the US: Some striking similarities

The TAC campaign evinced some interesting similarities with grassroots AIDS advocacy in the US.

The AIDS Coalition to Unleash Power (ACT UP) was formed in New York City in 1987 as a social movement and advocacy group dedicated ‘... to ensuring the civil and social rights of people living with HIV and AIDS ...’ and ultimately ‘... bringing an end to the epidemic ...’.³⁶ Like the TAC, ACT UP focused on access to treatment but as HIV/AIDS medications were still in their infancy in the late 1980s, ACT UP advocated for substantially more resources for medical research.

In its early years, ACT UP primarily focused on influencing two federal government agencies the US: the Food & Drug Administration (FDA) and the National Center for Disease Control. ACT UP exposed and protested against what amounted to a wholesale exclusion of people living with HIV/AIDS as well as AIDS advocates from the policy-making process. At the same time, however, ACT UP also consolidated its intellectual power. Similar to the TAC’s Treatment Education Programme, ACT UP members educated their constituencies, the public and the media on vital issues pertaining to the virus, prevention and treatment. Facing almost exactly the same challenges as the TAC, a central piece of ACT UP’s education efforts focused on the dispelling of myths around HIV and AIDS that promoted ignorance and discrimination. The extent of ACT UP’s knowledge made it a valuable resource for many and, like the TAC, ACT UP helped educate the media, particularly in the early years.

In addition, ACT UP (and indeed the broader HIV/AIDS movement) was very effective in exposing how sloppily the government explained the massive delays, its reluctance to distribute condoms, poor clinical services and many other areas. Long-time activist Jennifer Flynn noted that, ‘it was helpful to be right’.³⁷ In time, ACT UP became an important link between people living with AIDS and the government. And the organisation’s dialogue with the pharmaceutical industry also created a model for patient advocacy.

From the mid-1990s, activists in New York, often working through the New York AIDS Coalition, began pushing for oversight and the right to services.³⁸ A local law passed in 1997 created the Department of AIDS Services and Income Support and also formalised a range of services for people living with HIV/AIDS, such as access to housing. A community-based oversight body was also created by the 1997 law. A subsequent law linked temporary housing rights to permanent housing.

As in South Africa, comprehensive media coverage was an absolute necessity for effective HIV/AIDS advocacy. As Flynn reflects, ‘engaging with the media is one of the most important tools that HIV/AIDS activists have’.³⁹ In the early to middle years of HIV/AIDS advocacy, activists affiliated with movements such as ACT UP had more knowledge about the virus than almost anyone in the media. In recent years, however,

this has changed significantly. Today, the US media is better informed, with hundreds of journalists across the country specialising in public health matters and many of them have a more in-depth understanding of HIV/AIDS than many people in the movement. Such journalists can now take an 'educated' position against the activists and, in numerous recent cases, have done just that. In this sense, AIDS activists in the US have become, to some extent, victims of their own success. Like the TAC, ACT UP and similar organisations sought to educate the media and truly succeeded, perhaps better than they envisaged.

The 'professionalisation' of the HIV/AIDS movement in the US also, to some extent, illustrates the dangers of success. Many US activists have been coopted into senior government positions to make policy or implement programmes, effectively incorporating advocacy groups into the official processes and giving them 'functions'.⁴⁰ However, while it is important to have viable and self-sustaining institutions, the move to professionalisation has effectively stripped the movement of its grassroots legitimacy and power.⁴¹ Once part of the official machinery, activist groups can no longer take 'politicised' opinions or mobilise their constituencies; however, they can be placed in a position that compromises their principles.

Madlala-Routledge, analysing the South African women's movement, came to similar conclusions because after 1994 the key leaders became absorbed into government structures⁴². From 2007, the TAC faced the challenge of having to fundamentally redefine itself. Having succeeded in its prime objectives the movement had to operate in a new modality in which its aims were not focused on mobilising to influence government decision making. Like ACT UP, the TAC 'lost' some activists to government and others to NGOs.⁴³

Perhaps the most important parallel between HIV/AIDS advocacy in South Africa and the US is that unrelenting persistence and direct action are necessary ingredients for movements to achieve their goals. As discussed earlier, the TAC's sustained civil disobedience campaign ultimately forced the government to change its HIV/AIDS treatment policies. In New York, the initiative to secure emergency housing for people living with AIDS was only won after two years of daily demonstrations in front of the offices of the government department responsible for the initiative. As Flynn commented, '... everyone involved had to be a hard core activist'.⁴⁴

In addition, participatory democracy depends on a strong legislative arm of government; one that allows, among other things, individual legislators, based on their interaction with advocacy groups, to have the power to introduce and pass laws.⁴⁵ However, in recent decades power has gradually shifted from the government's legislative branch to its executive – a pattern that is evident in many countries including the US and South Africa. For example, throughout the 1980s and early 1990s, US HIV/AIDS advocates struggled against the policies enacted under the Reagan and Bush (Senior) administrations which sought to consolidate executive power at the legislature's (in this case Congress) expense. Therefore, while many members of

Congress were open to engaging activists to varying degrees, their legislative power was gradually trumped by the executive's increasing authority.

A similar situation existed in South Africa during the TAC campaign. In fact, the weakness of the South African Parliament as an institution, which continues today, limits important opportunities for advocacy groups to influence policy.⁴⁶ Throughout the TAC campaign, it became increasingly clear to the movement that many ANC parliamentarians supported the development of a comprehensive treatment plan. However, both the fear of reprisal within the party and the subordinate status of parliament prevented any truly meaningful action. The process of parliamentarians introducing a private member's bill⁴⁷ is fraught and stacked against any initiative that is not the product of the majority party. A parliamentary committee on which the ruling party has a clear majority must vet such bills.

Interestingly, both Flynn⁴⁸ in the US and Alison Tilley⁴⁹ in South Africa point out that community advocacy and social movements play a critical role in helping and empowering government's legislative arm. In the US, many legislators sympathetic to ACT UP's objectives in the early years could do little in the face of an executive arm (particularly under the Reagan and Bush Snr. administrations) that preferred to ignore the issue. It is equally conceivable that many ANC parliamentarians supported the TAC's goals, but felt relatively powerless (or at least were too fearful) to act decisively in defiance of the Presidency. Clearly, if a legislature has diminished power, its interaction with civil society becomes less meaningful and results in the opinions of many civil society groups being ignored. This situation effectively compromises the spirit and practice of both electoral and participatory democracy as outlined by previous authors in this book.⁵⁰

The Child Support Grant (CSG) extension campaign

For many poor South African households with children, the only social security entitlement preventing them from falling into utter destitution is the Child Support Grant (CSG). From April 2010 the CSG payment was ZAR250 per month per child and could be claimed by a single parent or caregiver earning ZAR2 500 per month or less, or by a married couple jointly earning ZAR5 000 or less. Originally available only until the child's seventh birthday, the CSG was expanded to eight-year-olds in 2003 and then to 14-year-olds in 2005.⁵¹ At this point, however, the National Government refused to extend the CSG to children aged 15 to 18.

As early as 1999, children's advocacy groups had been campaigning to expand the eligibility criteria for the CSG and had achieved an important victory when the government agreed to extend the benefit to 14-year-olds. Citing, *inter alia*, that approximately 70 per cent of 15 to 17-year-olds live in households with expenditure levels of less than ZAR1 200 per month, children's advocates demanded eligibility for the grant be expanded further.⁵² One of their arguments was that limiting the CSG

to children younger than 14 amounts to an infringement of the right to equality of children older than 14.

From the outset, this campaign provided a powerful and cohesive issue around which groups and organisations across the country could mobilise; that is, the need to alleviate extreme poverty. Many NGOs, churches and other sectors and groups in direct contact with marginalised communities were very aware of the devastating effects of extreme poverty on families and on entire communities. Like the TAC ARV campaign, a network of activists that was both widely spread and active in many far-flung areas bolstered the CSG-extension campaign. And more importantly, the ANC was very strong in many of these areas.⁵³

It is fair to say that there is broad agreement in the South African polity that government responses to poverty must be multifaceted and include a range of health, housing, education, vocational, economic development and other interventions. However, many interventions can only be rolled out incrementally and their ability to alleviate poverty may only become evident in the medium to long term. This is why the campaign framed the extension of the CSG to include 15- to 18-year-olds as the most obvious, sustainable and immediately implementable intervention which, in the short and long terms, would address extreme poverty in households with teenage children. In addition, the campaign used the 2002 Taylor Commission report⁵⁴ into the future of social security to help broaden the political discourse and create a more conducive social policy environment for anti-poverty initiatives.⁵⁵

When Thabo Mbeki was removed as President in May 2009, the government started to pursue the ANC's socio-economic agenda with more intensity. This political shift also enabled the government to consider the CSG as an anti-poverty tool in greater depth and to probe the implications of extending the benefit. Government ministers became more accessible and senior ANC officials seemed more amenable to discussing the issue, thus allowing the campaign to renew its parliamentary lobbying efforts.⁵⁶ However, while many figures in the government were open to extending the CSG, there was significant opposition among senior government officials, from the Department of Social Development and, most ominously, from the National Treasury.

While treasury authorities around the world often hold a great deal of influence within the government structure, the Treasury Department in South Africa had, under former finance minister Trevor Manuel, built up a substantial power base, possibly at the expense of other sections of government. Indeed, few major initiatives with significant budgetary implications can be enacted if the Treasury solidly opposes them. In general, the Treasury opposed most new policy measures that committed the government to a higher level of spending for a permanent programme.⁵⁷ It seemed, in late 2008, that strong opposition from both the Treasury and the Department of Social Development⁵⁸ made the chances of extending the CSG very low.

In his opposition to extending the CSG, the then Minister of Social Development, Zola Skweyiya, argued that the campaign's premise and message were patently false.

He claimed, for example, that extending the grant to households with children between 14 and 18 years of age would encourage more teenage pregnancies. However, a range of published research, including that of Beth Goldblatt⁵⁹ and the Planned Parenthood Association of South Africa, showed that young women were unlikely to fall pregnant solely because they might be eligible for a CSG. Furthermore, the campaign conducted its own research through the Association for Children's Entitlement to Social Security (ACCESS), the Children's Institute and the Black Sash, and showed that many of the arguments used to oppose extension were baseless. The campaign spent a great deal of time and energy challenging patriarchal and damaging perceptions about teenage girls and young women,⁶⁰ effectively promoting a dialogue supportive of gender equality in the process.

Like the TAC, the CSG-extension campaign relied heavily on evidence supplied by empirical research and pushed a sound agenda of 'evidenced based policy making'.⁶¹ Eventually, overwhelmed by their evidence, the Department of Social Development was forced to acknowledge the campaign's findings and drop their opposition to the CSG extension. Not surprisingly, research commissioned by the Department itself reached similar conclusions to the research undertaken by the children's sector. Additional pressure from a supportive media also helped the campaign sway key public officials⁶² as the government is particularly sensitive to the media's coverage of poverty.

The CSG-extension campaign also successfully used a variety of mutually reinforcing strategies that 'pulled the right advocacy leavers'⁶³ and cleverly navigated the different overt and covert forces at play in the South African political landscape and within the ANC.⁶⁴ To be successful, an advocacy campaign must appreciate how these forces operate, get 'wedged in' as much as possible, and use all available opportunities to promote the campaign's message. Just like the TAC, the CSG campaign was very adept at identifying opportunities for lobbying and in ensuring that its interventions occurred at the right interludes. Sheer persistence was also critical while the campaign gradually built up research and policy support.

As with the TAC ARV treatment campaign, the CSG-extension campaign was a 'slow war of attrition'.⁶⁵ It took a full ten years for the initiative to be implemented, underlining the importance of both patience and unyielding determination in a major advocacy effort. This campaign also shows that compromising and accepting incremental steps towards the ultimate goal may be a winning strategy: Over a ten-year period, the CSG was extended first from 6- to 11-year-olds, then to 14- and finally to 18-year-olds.

The CSG campaign was also well coordinated, reflecting the unity within the South African children's sector. The coalition also had phenomenal range and depth involving groups from rural crèches to university-based institutes. However, the constituency whose interests the campaign represented did not start it; that is, poor families with teenage children.⁶⁶ Unlike the TAC's treatment campaign, the CSG-extension campaign was not a succinct social movement as such, with a solid grassroots

membership. It was rather a broad collaborative effort of a range of multifarious organisations and groups – although some such groups could be said to be genuinely ‘grassroots’ in and of themselves.

In reality, although advocacy must happen at the local level, the intense day-to-day lobbying activities that secure an initiative’s victory or defeat are not necessarily conducive to grassroots participation.⁶⁷ Often, the availability of transport, language, e-mail access and literacy can limit the participation of the very people a campaign is seeking to assist. Sonja Giese argues (reflecting the opinions of others interviewed for this chapter) that it is in poor and isolated communities where the ideal of participatory democracy can often fall apart.⁶⁸ She notes that while electoral democracy has made phenomenal progress in South Africa, many poor communities are still largely powerless to control their own destinies. Clearly, South Africa needs to cultivate true social and political transformation so that it can build meaningful processes and structures to support and facilitate participation.

Acknowledging this, the CSG-extension campaign successfully involved and mobilised poor people to participate, for example, in public demonstrations at political events, congregations at parliament each budget day, and to march to the offices of the provincial premiers.

In yet another parallel with the TAC ARV campaign, the use of litigation was a critical campaign tactic. Section 27(1)(c) of the Bill of Rights, Chapter 2 of the South African Constitution, guarantees everyone the right to access ‘social security, including, if they are unable to support themselves and their dependence, appropriate social assistance’. Section 27(2) states that: ‘The state must take reasonable legislative and other measures within its available resources, to achieve the progressive realisation of each of these rights.’ In fact, the South African Constitution itself provided the most solid legal platform possible for the campaign.

In assessing the success of the CSG-extension campaign, Tilley underlines the importance of broad coalition building.⁶⁹ She further notes that, in South Africa, very few single organisations or groups have the range of skills required to bring about a policy change that requires a significant shift in the predominant political landscape. In the case of the CSG-extension campaign, this meant overcoming the entrenched opposition of the Treasury Department, senior figures in government and the Minister of the implementing agency itself.

According to Tilley, the CSG-extension campaign was successful primarily because it built a very broad multisectoral coalition⁷⁰ and could draw on a wide range of specialised knowledge and skills. For instance, the CSG-extension campaign needed to coordinate a broad and relentless advocacy effort in policy forums across the country, have an in-depth understanding of public finance and of National Treasury and budgetary processes, understand the ANC’s range of internal policy machinations, and have access to expert legal resources on constitutional law.

Finally, however, it is important to acknowledge that the CSG-extension campaign's goal was to facilitate a central aim of social policy in a developmental state: the elimination of extreme poverty. This goal was not only entirely consistent with, but also facilitative of, the constitutional guarantee of the right to social security, and more specifically the rights of children.

The CSG-extension campaign's success is not the norm in post-1994 South Africa. Not only did the campaign confront the National Treasury and prevail, it also successfully countered the Department of Social Development's – the agency ultimately responsible for implementing the initiative – initial virulent opposition.

Welfare advocacy in the US: Similar challenges despite dissimilar contexts

In August 1996, the Republican-dominated US Congress passed the Personal Responsibility and Work Opportunity Act, which President Bill Clinton later signed into law. Inter alia, this Act abolished a 60-year-old federal government income-support programme called Aid to Families with Dependent Children (AFDC) and replaced it with a new, state government-administered programme called Temporary Assistance for Needy Families (TANF). As the name suggests, TANF limited the duration of the benefit and required recipients to work for what little they received (which was nicknamed 'workfare').

Critics contended that the Act had nothing to do with promoting 'personal responsibility' but was instead the federal government obviating its responsibilities to people in need and that the 'work opportunity' in the Act's title was also a misnomer. President Clinton initially hoped that TANF would guarantee a job plus child support for any recipient whose benefits were terminated, but these provisions did not survive. TANF was re-authorised in 2005 under President George W. Bush and the conditions tightened even further.

In May 1994, a grassroots organisation called Community Voices Heard (CVH) was formed in New York City in response to the growing anti-poor political environment and the increasing stigma people receiving public assistance endured. The group's membership was predominantly female and included many people receiving social welfare. Some members were also homeless and many were unemployed. In the 17 years since its establishment, CVH has become a leading advocacy organisation championing the social rights of poor people. The organisation's activities include public education, grassroots organising, leadership development, rights training, political education, civic engagement and direct-action issue campaigns.⁷¹

Jennifer Hadlock is the Welfare and Workforce Organiser at CVH. She explains the movement's struggle over the years against the worst aspects of TANF and the attacks on welfare.⁷² Under former Mayor Rudolph Giuliani, TANF was harshly applied in New York City. For instance, the City used work rules to harass recipients, created major administrative barriers, eliminated education as an option counting

towards TANF workfare requirements, and used so-called anti-fraud measures merely as a means to discourage uptake and continuation (barely one-third of one per cent of cases were found to be fraudulent).⁷³ From 1996/97 CVH, in coalition with other networks and organisations, began a multifaceted campaign to address what they saw as attacks on the rights of TANF recipients.

First, the movement undertook a direct action campaign around the poor health and safety conditions that many TANF recipients faced in their ‘work’ assignments⁷⁴. The tactics included sit-ins in City offices and obstructionist measures on work sites. A Workers Rights Board exposed numerous instances of exploitation by companies utilising workfare; there was inadequate oversight of the many private companies, both for-profit and not-for-profit, who utilised TANF workers. These companies’ ran the ‘back to work’ programmes and were paid to provide education and training. However, many failed to deliver these services as CVH research and oversight revealed.

Second, CVH and its allies met with City Commissioners, State and City legislators on numerous occasions and took key legislature committee chairs on site tours. Third, after gradually building their own capacity and with the support of the Legal Aid Society, the campaign instigated public interest litigation with varying degrees of success. In an unusual social rights parallel with the South Africa Constitution, Article XVIII (Section 1) of the New York State Constitution⁷⁵ states: ‘The aid, care and support of the needy are public concerns and shall be provided by the state and by such of its subdivisions...’.⁷⁶

In contrast to most parts of the US, this provision at least provides the basis for civil society to litigate against the State of New York when it fails to fulfil its responsibilities. Article XVIII also provides strong backing for activists when lobbying members of the legislature.⁷⁷

Fourth, CVH attempted to utilise the media. However, it was very difficult to get the media to appreciate CVH’s position despite significant ‘human interest’ aspects.⁷⁸ For example, contrary to common perception, the shrinking welfare rolls did not mean that those who were cut off escaped poverty. In truth, many in this situation were not employed, were living in extreme poverty and were often socially isolated. Yet, the media’s coverage reflected the prevailing and even growing stigma against the poor. And as Irma Rodriguez and Jennifer Flynn noted, many of the major media outlets were owned by very conservative corporations that reinforced the perception that poverty was perpetuated through poor personal behaviour.⁷⁹ Moreover, as Jennifer Hadlock indicates, this perception made it difficult to build a national coalition and to access funds on TANF issues.⁸⁰ Even so, media coverage helped bring to light some of the abuses perpetrated by corporations against TANF workers.

Such perceptions, according to Benjamin Dulchin, shape the perspectives from which social movements in the US need to be built.⁸¹ For instance, he argues that Americans tend to see their country as being free of the effects of social class, and generally identify with a ‘neighbourhood’ or community rather than as a member of

a social class. This forces activist leaders to organise and frame issues according to local concerns. Dulchin further argues that this tends to atomise more macro issues and that national issues of poverty or racism must be described according to how they affect a particular community. However, Dulchin also argues that this local and ostensibly ‘classless’ form of movement building can reduce potentially divisive discourse, build consensus and an action plan, and may ultimately facilitate the connection to more global issues.

Nevertheless, the CVH-led grassroots campaign around poverty issues has yielded some successes. The movement has managed to link some former TANF recipients with properly paid transitional employment.⁸² Advocates also successfully amended the social services law to ensure that people cannot be denied TANF payments while studying or working in an internship. Rodriguez and Hadlock both note that the Obama Administration, which took office in January 2009, has been more willing to consult with civil society over poverty issues than its predecessors.⁸³ In terms of TANF, the Administration has been supportive of stronger links to good jobs and the Federal Department of Health and Human Services is keen to collect data that supports welfare reform and to interact with civil society in the process.⁸⁴

Conclusion

Ironically, compared to South Africa, it is sometimes more difficult for civil society in a country as wealthy as the United States to advocate for the social rights for those in need and for activists to mobilise around this issue. South African movements such as the Poor People’s Alliance, the Landless People’s Movement and others would be very difficult to sustain in the US. In such movements, activists identify as being part of an economically marginalised class not as a resident of a particular area. The sheer magnitude of mass poverty in South Africa, and the indisputable historical factors that helped legitimise and consolidate it, make it much harder to argue that the individual is somehow to blame for his or her own socio-economic condition.

However, in terms of their *modus operandi* the case studies also reveal some important key common themes. In all four cases the education, capacitation and mobilisation of grass-roots constituents were key components underlining many of the successes. Part and parcel with this was the judicious use of direct action techniques. The utilisation of the court system to enforce statutory and constitutional rights was also common to all four campaigns in both countries as was the on-going engagement of members of both the legislative and executive arms of government. Educating and strategically utilising the media to help build public awareness and support was also a critical common factor which in for at least three of the campaigns yielded very positive results. It was also a common experience that successes were achieved through unrelenting advocacy efforts over the long term and that, in many instances, change occurred in incremental steps. Finally, these case studies indicate that social entitlement

movements and campaigns are strongly bolstered by solid evidence produced through credible research.

Notes

- 1 Democracy Index, 2010 compiled by *The Economist*. <[http:// http://graphics.eiu.com/PDF/Democracy_Index_2010_web.pdf](http://graphics.eiu.com/PDF/Democracy_Index_2010_web.pdf)>
- 2 Treatment Action Campaign. <<http://www.tac.org.za>> [Accessed 31 August 2010.]
- 3 ARV is an acronym for antiretroviral drugs. These drugs are generally used to treat infections, primarily HIV, by retroviruses.
- 4 Interview: Madlala-Routledge, N. 2010. Founder, Embrace Dignity, former Deputy Health Minister, Republic of South Africa.
- 5 Cohen, J. 1989. Deliberation and Democratic Legitimacy. in Hamlin, A. and Pettit, P. eds. *The Good Polity*. Oxford: Blackwell.
- 6 Interview: Madlala-Routledge, N. 2010. Founder, Embrace Dignity, former Deputy Health Minister, Republic of South Africa.
- 7 Interview: Mthathi, S. 2010. Director, Human Rights Watch South Africa, former General Secretary, Treatment Action Campaign.
- 8 Ibid.
- 9 Geffen, N. 2010. *Debunking Delusions: The inside story of the Treatment Action Campaign*. Jacana Media: Auckland Park.
- 10 Interview: Mthathi, S. 2010. Director, Human Rights Watch South Africa, former General Secretary, Treatment Action Campaign.
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- 13 Interview: Mthathi, S. 2010. Director, Human Rights Watch South Africa, former General Secretary, Treatment Action Campaign.
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- 17 Interview: Mthathi, S. 2010. Director, Human Rights Watch South Africa, former General Secretary, Treatment Action Campaign.
- 18 Constitution of the Republic of South Africa: Section 187.
- 19 Interview: Geffen, N. 2010. Director of Research & Communications, Treatment Action Campaign (Formerly National Manager).
- 20 Ibid.
- 21 Interview: Mthathi, S. 2010. Director, Human Rights Watch South Africa, former General Secretary, Treatment Action Campaign.

- 22 Ibid.
- 23 A typical NGO organisational model would usually locate key decision-making at the Board of Director level or at the senior staff level. Conversely, a membership-driven model would set up process by which the organisation's core constituency of people (or 'members') are supported to make key decisions about the direction, policies and activities of the organisation.
- 24 Interview: Mthathi, S. 2010. Director, Human Rights Watch South Africa, former General Secretary, Treatment Action Campaign.
- 25 Interview: Geffen, N. 2010. Director of Research & Communications, Treatment Action Campaign (Formerly National Manager).
- 26 Interview: Mthathi, S. 2010. Director, Human Rights Watch South Africa, former General Secretary, Treatment Action Campaign; and author's comment.
- 27 Geffen, N. 2010. *Debunking Delusions: The inside story of the Treatment Action Campaign*. Jacana Media: Auckland Park: 193.
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- 31 Geffen, N. 2010. *Debunking Delusions: The inside story of the Treatment Action Campaign*. Jacana Media: Auckland Park.
- 32 Interview: Madlala-Routledge, N. 2010. Founder, Embrace Dignity, former Deputy Health Minister, Republic of South Africa.
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- 34 Interview: Mthathi, S. 2010. Director, Human Rights Watch South Africa, former General Secretary, Treatment Action Campaign.
- 35 Interview: Naidu, R. 2010. Executive Director, Democracy Development Project.
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- 38 Ibid.
- 39 Ibid.
- 40 Ibid.
- 41 Ibid.
- 42 Interview: Madlala-Routledge, N. 2010. Founder, Embrace Dignity, former Deputy Health Minister, Republic of South Africa.
- 43 Interview: Mthathi, S. 2010. Director, Human Rights Watch South Africa, former General Secretary, Treatment Action Campaign.

- 44 Interview: Flynn, J. 2010. Executive Director co-founder and Executive Director of the NYC AIDS Housing Network.
- 45 Ibid.
- 46 Interview: Tilley, A. 2010. Attorney and Executive Director of the Open Democracy Advice Centre of South Africa.
- 47 In the Westminster Parliamentary system, a private members' bill is a piece of legislation introduced by an individual Member of Parliament rather than by a political party.
- 48 Interview: Flynn, J. 2010. Executive Director co-founder and Executive Director of the NYC AIDS Housing Network.
- 49 Interview: Tilley, A. 2010. Attorney and Executive Director of the Open Democracy Advice Centre of South Africa.
- 50 Please see earlier chapters in this book; that is, Paulus Zulu, Gerhard Wolmarans, Collette Schulz Herzenberg, and Robert Mattes and Wadim Schriener for a further discussion.
- 51 ACCESS. 2010. <<http://www.acess.org.za>> (Research Downloads). [Accessed 31 August 2010.]
- 52 Ibid.
- 53 Interview: Martin, P. 2010. Director of Advocacy Aid, former Director of the Alliance for Children's Entitlement to Social Security.
- 54 'Transforming the present – protecting the future: Report of the Committee of Inquiry into a comprehensive system of social security for South Africa.'
- 55 Interview: Martin, P. 2010. Director of Advocacy Aid, former Director of the Alliance for Children's Entitlement to Social Security.
- 56 Ibid.
- 57 The Treasury's stringent opposition to the Basic Income Grant (BIG) recommended by the Taylor Commission Enquiry was relied on by a similar argument.
- 58 The then Minister for Social Development, Zola Skweyiya's, unexpectedly opposed the CSG extension.
- 59 Goldblatt, B. 2004. *Gender and the right to social security: A study of the implementation of the child support grant*. Johannesburg: Centre for Applied Legal Studies, University of the Witwatersrand; Planned Parenthood Association of South Africa (PPASA). 2004. *Teen-parent programme: A baseline survey and needs assessment for adolescents and teen parents in South Africa*. Presented at the first congress for the advancement of sexual health and rights in Africa. 25–29 February 2004.
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- 73 Interview: Blum, R. 2010. Staff Attorney, Legal Aid Society, New York.
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- 75 The Constitution of the State of New York (as revised, with amendments adopted by the Constitutional Convention of 1938 and approved by vote of the people on November 8, 1938) <http://www.dos.state.ny.us/info/constitution.htm> [Accessed 22 September 2010]
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- 77 Interview: Blum, R. 2010. Staff Attorney, Legal Aid Society, New York.
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- 79 Interview: Rodriguez, I. 2010. Executive Director, Queens Community House, (Former Board Chair Parodnick Foundation, former, Director of the Neighborhood Stabilisation Programme in the NYC Commission of Human Rights, former Adjunct Professor Hunter College School of Social Work) ; Flynn (2010).
- 80 Interview: Hadlock, J. 2010. Welfare and Workforce Organizer, Community Voices Heard.
- 81 Interview: Dulchin, B. 2010. Executive Director, Association for Neighborhood and Housing Development.
- 82 Interview: Blum, R. 2010. Staff Attorney, Legal Aid Society, New York.
- 83 Interview: Rodriguez, I. 2010. Executive Director, Queens Community House, (Former Board Chair Parodnick Foundation, former, Director of the Neighborhood Stabilisation Programme in the NYC Commission of Human Rights, former Adjunct Professor Hunter College School of Social Work); Interview: Hadlock, J. 2010. Welfare and Workforce Organiser, Community Voices Heard.
- 84 Interview: Hadlock, J. 2010. Welfare and Workforce Organiser, Community Voices Heard.

**Beyond appeasement:
The real business agenda¹***Ann Bernstein*

It is a strange irony that, as capitalism finally triumphed against its communist nemesis after 1989, business was increasingly on the defensive. Instead of being universally celebrated, companies almost immediately came under intensified scrutiny and attack.

The wide-ranging impact of companies via their core business activities provides a different starting point for a conversation about business and its role in society. The debate about ‘responsible’ corporations takes for granted the everyday activities of companies and their contribution to society. The ordinary activities of companies and their broader impact can change people’s lives for the better. They create possibilities for individual progress and provide the wealth (through taxes) for societies to afford collective projects, from building bridges to going to the moon. They are centres of excellence, and arenas for individual talent and training. They provide opportunities for consumers to acquire goods previously so expensive that only kings and queens or corrupt kleptomaniac dictators could afford them. They deliver on ‘the promise of democracy’. Companies also have an indirect impact on the communities and societies in which they function and, in many different often invisible ways, redefine the possible for entire countries, and create their future. ‘Doing business’ has many unintended, mainly positive consequences.

In developing countries, modern companies can function as ‘transmission belts’ for modernity, and ‘motors’ of national development. In their search for talent, companies break down barriers, preventing individuals from participating in economic opportunity. If managed well by the governments concerned, their activities can change the course of national development and in so doing, the prospects of millions of people. They inadvertently help to strengthen the rule of law and other vital institutions, and promote the organisations and ideas that fuel civil society. In their existence separate from the state, they provide an important sphere of autonomy and an alternative to state-directed control and dominance of all aspects of social life. In authoritarian societies, they can form ‘zones of liberation’ and alternatives to the prevailing ways of doing things. Modern work practices require and encourage new forms of individualism and human rights, and more consensual approaches to getting things done. Companies are centres of excellence, promoters of radical new ideas and incubators of people who create the technological and organisational future.

1 This chapter is based on a summary of chapters 10 & 11 in Bernstein’s 370-page book: Bernstein, A. 2010. *The Case for Business in Developing Economies*. Johannesburg: Penguin.

Companies – through their everyday business activities – have an unintended and, in many respects, revolutionary effect on people and places. Business qua business is therefore a constant agent of social change. Far from the notion that companies help to maintain the status quo in societies with repressive regimes, or that all their activities are essentially destructive, companies inadvertently act as ‘stalking horses for democracy, human rights, greater freedom and modernisation’.²

However, the current global conversation about business is fundamentally flawed. Rather than celebrating the existence of profitable companies, corporate detractors take them for granted. They underplay the positive contribution of business and ignore the less visible but nonetheless remarkable positive aspects of normal company activities. From these flawed vantage points, corporate critics want to impose on companies a broad range of new responsibilities.

Many of these demands are not necessarily in the best interests of society or ‘the poor’. Some demands, perhaps many, are actually harmful. Critics often want companies to usurp the role of governments, and the new regulations and restrictions they want to impose would function to undermine the risk-taking, ‘future-creating’ role of companies and their capacity to innovate in unexpected, unpredictable ways. The current debate tends to be dominated by international advocacy NGOs, sometimes in alliance with first-world trade unions, selected large multinationals, and, increasingly, large multilateral institutions.

This is replayed in the dominant Western media, which are more closely attuned to these actors and have easy access to them. What is significant is how many interests do not form part of this conversation. The missing voices include those of developing country governments; the economic, trade and finance ministries in developed countries; workers and their organisations in many developing countries; companies in developing countries; and the vast numbers of smaller companies around the globe. This is, in fact, a one-sided conversation, reflecting the interests, current preoccupations and tactical choices of selective and dominant interests in rich countries.

As a result, the conversation is focused on issues important to the activists rather than those vital to companies or to developing-country populations or governments. For example, although the Millennium Development Goals (MDGs) include many worthy goals, they represent an approach to development and a set of priorities that do not take into account the needs and interests of companies and states, which want increased economic growth as the foundation for development. The MDG focus – welfarist rather than growth-oriented – differs considerably from the route chosen by the most successful of the less rich countries, such as China, India, Chile, Singapore, Vietnam and Botswana. Given the limited capacity of most developing countries, a vital issue of governance is the choice of priorities. Should they focus on redistribution or on markets? Should they concentrate on dealing with the symptoms of poverty, or on tackling the causes of systemic disadvantage and exclusion?

The business interest is clear. The motor of sustained development is economic

growth, and higher growth requires countries to improve the business environment. The MDGs do not mention many of the most important challenges facing countries trying to become good places in which to do business and attract the investment they need to prosper. For instance economic infrastructure, getting rid of regulations that hamper competitive enterprise, making themselves effective arenas in which to attract foreign direct investment, dealing with skills shortages, creating a solid middle class and social stability.

The business agenda should centre on creating a better climate for enterprise and investment that, in time, can help a country to develop a self-sustaining growth path and a better chance of dealing with poverty. A business agenda for development would differ greatly from that promoted by the ‘poverty wallahs’, who see capitalism as something to be tamed rather than embraced, and profit making as a cause of poverty rather than a vital part of the solution. To ‘make poverty history’ requires more than a shopping list of indicators to be improved. It requires a strategy for inclusive development driven by developing countries themselves, and finding their own path out of poverty, which is the only way any country has ever done it.

Important elements are missing from the dialogue between international NGOs and corporations about ‘global poverty’, and the role of business in alleviating it. These include the vital role of markets in economic and social arenas, and the essential role of the state in creating the context for sustained growth and development. This is a world where multinational corporations matter more than any other types of enterprise (such as domestic companies or smaller enterprises), and are considered worthy of more attention than almost any other participant in the development process, including governments.

This artificial discussion of what companies can or should do takes place in isolation from issues of economic survival of the corporation or firm; small, unconnected projects are talked about as if they could make a numerically meaningful impact on ‘global poverty’; and good intentions matter a great deal more than outcomes.

The conversation has little to offer regarding the politics of national or global development. As a result, far too little attention is paid to trade-offs and the inevitable process of compromise, bargaining and deals that characterise development in any country. National interests and priorities are far more important than many of the initiatives demanded from companies in isolation of these dynamics.

It is frequently assumed that nation states have a diminishing role in national, regional and global development; and that the outcomes of social interventions are predictable. Poverty is regarded as a more important organising principle or point of departure for social change and development than the drivers of economic growth and prosperity. Successful companies are taken for granted; it is simply assumed that companies have considerable, almost unlimited, resources to devote to social issues. And the factors resulting in successful corporations are assumed to bear little relationship to profits, competition and the dynamics of capitalism.

If one starts the conversation about business and development with a set of negative presumptions and faulty ideas about business activity, development and how to combat poverty, then the discussion ends up with more and more rules about how business should engage with the developing world. However, if the conversation starts with a positive approach to business and an appreciation of the risk-taking and precarious nature of companies as institutions, then attention is focused on creating and nurturing environments in which competitive enterprise can flourish and can help build the social capital that makes nations great.

There are things that companies can and should do ‘beyond the factory gate’. It is in their long-term interests to do so, and in a more strategic manner than is generally the case.

Companies have an interest in improving local, regional and national business environments. They have an interest in actions that encourage and consolidate their ‘licence to operate’ in countries and communities. Business leaders should appreciate and advocate the role of markets and competition in development and social policy. A better strategic approach to the use of business resources (people, money and influence) for domestic and international policy change and large-scale interventions is required.

This is a complex arena, characterised less by analysis than advocacy. The key is to marry business interests with social involvement and to build on business strengths rather than pretend to be experts in arenas far removed from company activities. Most important is to focus on results far more than has generally been the case in this arena. Business leaders and business organisations also need to think hard before signing up to other people’s agendas. They should define their own community, national or global agendas, and on their own terms.

The approach characterised by the idea that ‘the business of business is business’ is too narrow and has too many gaps to be helpful to either business leaders or society. Continual repetition of this fundamentalist attitude is not useful to companies or governments operating in developing regions, where the threat of an overbearing state is equalled, and perhaps overshadowed, by the reality of no state or a very weak state. It is too often interpreted very narrowly to imply that companies can and should operate in isolation of the societies in which they are embedded.

The notion that companies should ‘do no harm’ is also not helpful beyond a certain point, as it ignores the ‘creative destruction’ at the very heart of capitalism. What is required is a new, more positive approach that starts from a comprehensive description and acknowledgement of the many important ways in which profit-making activity ensures enormous contributions to social progress.

Business and its strategic weaknesses

In the first half of the twentieth century, Joseph Schumpeter produced his brilliant,

modern analysis of capitalism. He turned Karl Marx's 'hateful gangs of parasitic capitalists' into innovative, beneficent entrepreneurs. In 1943 he argued that 'the public mind has by now so thoroughly grown out of humour with (business), as to make condemnation of capitalism and all its works almost a requirement of the etiquette of discussion'.³

Schumpeter's words could apply to many dinner parties in the capitals of the world's richest countries today, and are the common currency of pulpit and academia. In the face of the sentiments they express, most corporate executives have wobbled and failed to defend not only specific activities but also the very rationale of corporate existence. I have found few speeches by corporate executives that contain an unapologetic argument for profit making and capitalism.

Companies often encourage more pressures on themselves

The boundaries of 'social responsibility' are imprecise. Even senior executives find it difficult to define the limits to social engagement. For example, in 2003 the CEO of Nestlé, Peter Brabeck-Letmathe, while making due obeisance to engaging in 'responsible business', applied himself to the tricky task of defining the boundaries of this engagement. He argued that companies should apply three broad categories of 'boundary':

- Basic non-negotiables (obey the law and stay in business)
- Complex non-negotiables (manage risk and minimise harm), and
- Negotiables (create positive solutions beyond what is required by law, risk management and the protection of short-term value).⁴

Despite its contorted formulation, this is probably one of the better definitions. However, the implications for managers in, say, Indonesia or other developing countries far from sedate Switzerland are less than clear. This lack of clarity is likely to multiply rather than curtail business responsibilities.

Business has failed to appreciate the full extent of the forces working to undermine its legitimacy

Business operates in an environment in which most other major actors do not appreciate its merits. Many politicians and senior government officials do not appreciate the hard work involved in starting and maintaining successful companies. They often do not respect business or its achievements, and frequently take businesses for granted, seeing them as entities to be controlled, taxed and made more accountable or, at best, encouraged to do what governments want them to do.

Many journalists outside the financial media do not appreciate the difficulties of running a successful business. Many also assume that business is inherently immoral, and pursue stories of individual miscreants, which confirm this perception. The 'gotcha'

mentality of the media and the pursuit of sensationalism in order to sell newspapers do not contribute to a supportive environment. The lack of business heroes in novels or on television and movie screens also helps to perpetuate the generally negative image of commercial endeavour. The irony is that, in Hollywood, some of the largest companies in the world create and perpetuate these negative images.

The roots of anti-business sentiment start early. In 2008, Newsweek's Stefan Theil examined the way in which German and French school textbooks deal with business – with startling results. According to a major French textbook studied for university entrance exams, economic growth leads to overwork, stress, nervous depression, cardiovascular disease, even cancer. It tells students that entrepreneurs are linked with the technology bubble, the Nasdaq crash and massive redundancies. Another French textbook describes capitalism as 'brutal', 'savage' and 'American'.⁵

German textbooks depict company managers as idle, cigar-smoking plutocrats, and link them to child labour, Internet fraud, cell phone addiction, alcoholism and redundancies. Germany's rich entrepreneurial history is all but ignored. Another text explains that China and India are successful because they practise state ownership; conversely, it says the most free markets exist in sub-Saharan Africa, thus implying that unrestrained capitalism has disastrous consequences. Theil concludes that:

... the surprise is the intensity of the anti-market bias. Students learn that companies destroy jobs, while government policy creates them. Globalisation is destructive if not catastrophic. Business is a zero-sum game. If this is the belief system within which most students develop intellectually, is it any wonder that French and German reformers are so easily shouted down?⁶

A business strategy that concentrates almost all its energy on trying to reach accommodation with campaigning NGOs and their supporters in government is far too narrowly focused.

The individualistic nature of business is a strategic weakness

The term 'business' describes a category of behaviour, not a collective set of actors. By nature, many business people are individualistic, highly competitive and egotistic. Collective action is difficult and frequently boils down to the lowest common denominator.

Numerous companies have been isolated and 'smeared' by activist groups. Entire industries have been attacked and branded in negative ways – from Big Pharma through the oil and mining companies to the 'insurance giants'. Nonetheless, the most common response by most companies has been to quietly wait and hope that they will not be next. When they are, they are frequently totally unprepared for the campaign against them.

One recent example of this is Wal-Mart. This giant corporation seemed taken aback as attacks on it started to mount in 2004 and 2005. Why the world's largest corporation thought it would be immune to criticism (by activist NGOs in alliance

with disgruntled unions) is unfortunately a typical reaction by corporate leaders. Wal-Mart eventually established a 'War Room', filled with operatives (strategists, spin doctors, etc.) from the Clinton presidency, to respond to these attacks, but only did so in late 2005.

Wal-Mart's commissioned research on the company's beneficial impact on US inflation appeared only in late 2005. A documentary movie in its defence appeared only when opponents had already released their documentary attacking the company. Why did the company not prepare a multifaceted strategy much earlier on?

One would have thought that large corporations would prepare in advance for an inevitable attack. That large companies would talk to each other about what could be done to deal with these attacks. And they would discuss what might be done collectively by business leaders and organisations to seize the high ground and not wait to be picked off one by one.

Business has failed to put together a compelling account of its positive impact

At no stage has business (individual companies or organisations) tried to pull together a persuasive case in its own defence. A few documents defending globalisation have emanated from business organisations and the Organisation for Economic Co-operation and Development (OECD), but little else is readily available.

Few companies have done the detailed work of itemising and assessing the positive ramifications of their normal business activity on their sector and its impact on society. This is not a call for a taxonomic listing of dry facts but for an imaginative campaign telling the full, complex story of a company's direct and indirect impact on a country, region or continent. Businesses should document the full economic and developmental impact of corporate activity, and explain why this is the only approach to sustained development. Doing this properly requires some public relations imagination as well as unimpeachable and independent research.

Big companies have tended to focus their attention on core business functions, while regarding social and political issues as peripheral. They need to make greater efforts to understand the political and social context in which they operate and how to engage successfully. As India, China, Brazil, Indonesia and other emerging markets start to play a growing role in the global economy, their governments, companies, workers, unions and consumers will become increasingly important. They will be far more important allies for business in the long term than self-appointed Western organisations with no real standing in and understanding of those countries.

At the height of the anti-globalisation protests, why did no company or business organisation bring Indian trade union leaders to Washington or Seattle to speak for globalisation and against global standards? Why did no small business organisations or farmers from developing countries explain the implications of increased standards and regulations for their activities? Why are Western companies not talking to the governments of India, Brazil, Mexico and other emerging economies about these

issues and how best to stop minority interests in industrialised countries from imposing protectionist standards, effectively holding back growth in poorer countries?

To devise effective communication and other political strategies for companies or groups of companies or sectors of industry requires the right help. Instead of hiring former mainly leftward leaning activists to drive a company's social activities or responsibility agenda, rather hire professional communications experts, risk managers and crisis management 'hawks' who support enterprise and are eager to defend it.⁷ Where are the political scientists, economists and sociologists hired to think about a pro-business strategy for an industry or company? Where are the academics encouraged to write textbooks on business and its contribution to national development in different countries? Where are the competitions to encourage filmmakers to produce documentaries and films that reflect a more balanced picture of business?

The real agenda for business

Its time for the CEOs of big companies to recast the Friedman versus corporate social responsibility debates and recapture the intellectual and moral high ground from their critics ...⁸

Find new allies

One of the issues business leaders worry about is that if they do start to play a more active public role, they and their companies will be highly visible, and make the business sector in general a more prominent target for their critics. This is a valid concern in some respects. However, the belief that 'going along to get along' will work is an illusion. In any event, companies are being criticised all the time. If more companies become more assertive about the value of what they are doing, this will make it harder to isolate individual corporations.

In addition, companies can fund other voices and institutions to defend markets and firms and business activity, and corporate leaders have more allies than may be immediately apparent. The strategic trick is to mobilise them effectively.

One of the new opportunities in the global economy is that business leaders who are willing and ready to defend market processes can now seek to form alliances with interests in developing countries – seldom present or heard in the current conversation. Multinational business leaders should establish a politically astute working alliance with the governments of developing countries, their business communities, trade unions and other market-based interests in those societies. Democratic developing countries such as India, Brazil, South Africa and Mexico are good places to start, especially as they themselves provide the base for the emergence of multinational companies. Such an alliance should first establish an energetic, effective policy and advocacy presence in world centres such as London, Washington, New York, Geneva and Brussels. These offices should represent the interests of developing country nations in important forums and advocate for expanded economic growth, greater globalisation and more

trade on fairer terms.

Potentially important allies also exist within a country's domestic political sphere. These include smaller businesses, aspirant entrepreneurs, workers, urban governments and national ministries charged with growth and development concerns. On selected issues, coalitions and alliances can be established.

In both industrialised and developing countries, ministries dealing with various aspects of the economy are rarely involved in many corporate 'responsibility' issues; these include ministries and departments responsible for the treasury, taxation, trade and industry, and key sectors of the economy. They could also include the Reserve Bank or the international advisory councils a number of presidents have established to help them formulate economic policy. The politicians and officials involved in these institutions need to be exposed to the issues as well as the pressures and interests working against the expansion of markets and business activity.

Stand up for business, markets and globalisation

In order to be effective and have a really powerful influence over the terms of the debate about business, globalisation and development, the necessary materials (books, reports, documentaries on business and society, globalisation and the positive role of multinationals) need to be produced. A dossier of reports needs to be produced to substantiate and demonstrate the enormously powerful and positive role of competitive enterprise in the global economy. They should be widely distributed and used to counter unrepresentative, mainly first-world groups from propagating ideas and policies harmful to developing countries, without vocal and effective opposition.

Companies should produce authoritative reports on the societal impact of their everyday business activities, whether nationally, regionally or globally. Very few companies have produced anything like this. The few reports that do exist respond hastily to an attack of some kind or they are so dry that no one would read them. They usually cover only some aspects of the direct impact of corporate activity – taxes paid, employees trained, health care provided, pensions paid or local governments supported. Even less has been written about what I have called 'invisible corporate citizenship'⁹ – the profoundly important indirect consequences of corporate activities.

The tone of the report should not be defensive. It should make readers feel that their country or continent is lucky to have such a company operating in its borders. This would immediately place the discussion on a different footing – we are already doing all these things, now what else do you think we might be able to fit in? Such reports would also help to influence governments about to impose fresh restrictions on businesses or who are hesitant about allowing large foreign companies into their economy.

Amidst the plethora of positive impacts of company activity, there are some potential drawbacks. For example, changes in sourcing and rapid reconfiguring of supply chains can leave small suppliers with no market for their products and would

affect employment. Companies and their boards should fully understand the impact of their activities, and act to minimise any negative impacts and maximise their positive spin-offs. They should also put forward constructive proposals for how local, regional or national governments can work with companies to minimise these negatives.

A compelling document outlining the role of companies in global and national prosperity must be written. It needs to be packed with surprising and interesting stories of how corporate activities have created wealth and helped to build nations, cities and regions, and have empowered and enriched their citizens. Building on both the direct and indirect impact of everyday business activity, as well as the many other contributions that companies could or have already made, a persuasive document can be produced on how companies – big and small, formal, informal, public and private – have helped to transform lives and modernise societies.

Develop clear positions about business, development and poverty

A document dealing with a market-based approach to growth, development and poverty reduction in developing countries should be produced. It is striking how often business leaders ignore the role of markets outside strictly economic arenas. This report should set out the positive role of markets and private enterprise in development, concentrating mainly on profit-making activities but also including ‘extramural’ contributions (corporate social investment) by individual companies or groups of companies. The first and one of its most important target groups would be business leaders themselves.

A competitiveness charter or agenda is also needed. This document should outline the priorities that make countries competitive arenas for investment, expansion of business and long-term growth – the only way to reduce poverty and ensure sustained development. These should deal with world-class telecommunications, infrastructure, administrative competence, safety and security of people and property, export logistics, urban management, border controls, port development, education, training, and so on. This should not only deal with country competitiveness, but should also show how to make national economies more competitive themselves.

An additional document should put forward guidelines for doing business in developing countries and address how governments can make the most of foreign investment. It would be useful for multinational companies and governments of developing countries to develop some guidelines for corporate behaviour in terms of the difficult issues they confront in many countries. These guidelines should be voluntary and need to emerge out of discussion among domestic and international companies, as well as national governments. They should deal with technology transfer (the Chinese or Costa Rican experience could be useful examples), intellectual and property rights, political, security, social, human rights and environmental issues. They need to be realistic and appropriate to developing countries. If they are too complex, too bureaucratic or too demanding, they will merely raise the costs of doing business

and therefore stifle investment. They should not attempt to impose western standards in developing countries.

Each one of these (and other) reports should be used to start changing the terms of the conversation about business and society. They need to be written by experts and produced by the right processes. They need to reflect the concerns of companies in both developed and developing countries with experts from the latter dominating the process.

Don't wait to be attacked; seize the high ground

Many of the preceding recommendations are attempts to 'seize the high ground' on a range of issues. Pre-emptive work by business could also be beneficial in two other areas.

The first area is that of corporate weakness. Companies are not perfect, and market dynamics may give rise to negative trends in business practice. As a result, business leaders should think about publishing an authoritative report on corporate governance, dealing with issues such as executive remuneration, executive accountability and political lobbying. It should frankly examine the thorny ethical issues facing corporations in these and other areas, and recommend changes. This would demonstrate that companies are willing and able to respond to public concern where this is warranted. In the process, business can play a larger role in shaping national and international discussions of these topics. In this way, business leaders move ahead of the game, not reacting defensively but forcing others to be practical and, rather than slinging mud, actually making reasonable suggestions.

A document on how to seize the high ground in the event of a corporate attack would also be useful. More is now known about the organisations that launch and coordinate attacks on large companies, and the best ways of responding to different kinds of 'brand-jacking'. Has any company commissioned serious analytical and political work assessing, say, the Nike campaign, the Nestlé campaign or the Wal-Mart campaign? I have been unable to find anything like this in the public domain. Perhaps some canny business leaders have such a report in their bottom drawers but they would be the exception to the general rule.

Such a manual should contain advice on 'turning the tables', and how to raise a series of questions about organisational governance, ethics, transparency and accountability as they affect NGOs, unions and other institutions. Why should companies be the only 'responsible' social players? What about other voluntary organisations? Using the current mechanisms that regulate and deal with malfeasance in the corporate sector, a range of useful and probing questions could be inserted into the public debate about NGOs, government departments, multilateral institutions, and how exactly they use and account for public money. Comparing the rules that govern business with those affecting other parts of society would be instructive in itself.

Change perceptions of and attitudes to business

Other steps must be taken to strengthen the voice of pro-market advocates in the international arena and to ensure that a more balanced and fair representation of business starts to emerge. Companies can use their resources in their own interest in the world of public policy; reformers in governments can be enrolled to assist as well. Money speaks and it's time to provide incentives for pro-market voices to emerge and be strengthened.

Business should commission an authoritative study of what is being taught about business in schools in various regions around the world. The results of this study should be examined and new textbooks lobbied for, written and distributed.

In 1973 David Packard, chairman of Hewlett-Packard, argued that business should continue supporting higher education but should no longer give universities unrestricted grants that gave them complete control over how the funds were used. He asked whether universities should serve as 'havens for radicals' who wanted to destroy the free enterprise system, and whether students should be taught that US corporations were evil and deserved to be brought under government control. He believed this was happening at far too many institutions, and that unrestricted corporate dollars underwrote much of the problem.¹⁰

Without threatening academic freedom in any way, corporate funding could be used to encourage research on topics that support the market system and a positive (or at minimum balanced and fair) view of business; establish centres of specialisation and excellence on companies and markets, and the impact they have on national development; and create academic chairs for professors working on topics relevant to corporate concerns in this arena. Business should also encourage the voices of pro-market individuals and institutions to be heard in the print and electronic media as well as on the Internet.

US corporations, foundations and individual donors have helped to establish influential pro-market centres and think tanks in the USA. Very little has been done to encourage such centres in developing countries. The Atlas Foundation is doing a valiant job but most of its free-market think tanks around the world are tiny operations. A much more concerted effort to support market-based thinking on development issues is required and here again corporate support could make an enormous difference. Business has hitherto tended to leave this to others. An examination of most large US foundations indicates that many of these foundations dislike business and will not fund market-friendly initiatives or think tanks.

Individual companies and the representative business organisations they fund need to think hard about how to change the way in which business is portrayed and talked about in the key institutions of our societies. They need to focus on how to strengthen voices that support market economics and the role of companies in the countries in which they operate, as well as any international processes in which they are involved; and how to encourage market-based approaches to national policy-

making and development strategy for developing countries or neglected communities. They need to dovetail their strategies and expenditure with the global thrust to change the terms of the entire debate.

The selling of ideas and the defence of business and markets must be taken as seriously as product marketing

A professional, well-funded campaign or set of campaigns should be mounted to put across the facts, arguments and ideas that will emerge from the series of reports suggested in this chapter. They should be aimed at disrupting the terms of what is now a well-established discourse to highlight the benefits of enterprise and markets. To do this will require serious consideration of how to communicate these ideas and how to insert all these reports into which audiences, in which order and at what time. This is not a job for amateurs.

Influential corporate leaders across the globe need to be mobilised to use and support these reports, the ideas they espouse, and developing country governments and other interests must be enrolled to help spread them.

It seems redundant to suggest that business leaders – who manage very large marketing campaigns for their products – need to think afresh about how to communicate in imaginative ways, but when it comes to standing up for business this needs to take place. The marketing of ideas like these has not traditionally been a corporate activity, and will require new expertise and political understanding. This will need to be married to the more traditional skills of corporate marketing departments. So a key part of the entire set of ideas rests on the development of a professional, well-pitched, multifaceted and phased global marketing campaign that resonates with different audiences in different countries.

Corporate resources should be devoted to conferences and speaking tours by prominent experts and corporate leaders. For example, the World Economic Forum in Davos and subsequent regional fora around the world should be used as powerful platforms to stand up for business, markets and globalisation – and should do so unapologetically. Business should demand that these new alliances and perspectives be put on the table at meetings of multilateral organisations. Corporations should work with the potential ‘alliance’ partners identified earlier and others in promoting these facts and ideas on business and development in creative ways.

There is an important link between the activities proposed here at a global level and those that should be undertaken by individual companies. In time, they will start to reinforce each other.

Individual companies should ensure that responsibility for their business and society activities are assigned to senior executives, perhaps even the CEO, and regularly discussed at board meetings. This broad field needs to include all the issues discussed thus far, from how to present the contribution of the company to national and global development in the most positive way, through analysing the current

political environment affecting that product and industry, to knowing what pressures are developing around the company in question.

Professional communication that plays its part in the ‘battle of ideas’ about business is important. The De Beers diamond company has run an excellent advertisement in South Africa depicting three African women with greying hair, sitting solidly in their chairs. The caption states: ‘Meet the shareholders of our company. ... Not quite who you had in mind.’ This is a clever way of shaking up traditional concepts of who owns De Beers. It also touches on a vital issue that companies have largely neglected when trying to communicate their value to society. The millions of shareholders in the largest companies stretch far and deep into society. Companies should take advantage of this when they are attacked for putting ‘profits before people’.

In essence, companies need to find ways of ensuring that the very many aspects of the dimension of ‘creative destruction’ are communicated in much more effective ways. In the battle of ideas about business as a positive force in countries, companies need as many ambassadors as possible. Often the first place to start is by ensuring that company employees, managers and executives are all fully informed about the company, its direct and indirect social impact, and how to engage with the many questions about its role in an unfriendly or untrusting external environment. After all, they – and their families – are members of society too. Beyond the company itself, members of wider networks with which the company interacts should also be informed about its social impact, and ‘enrolled’ as informal envoys for business. This would include suppliers, contractors, subcontractors, consultants, shareholders and retirees.

Don’t fund your enemies ...

William Simon, former secretary of the US Treasury, put this well when he said: ‘Capitalism has no duty to subsidise its enemies.’¹¹

Most business leaders are mystified when this issue is raised. The business-supported World Wildlife Fund (WWF) sounds like an organisation no one could oppose — but then it is discovered that WWF was part of the anti-globalisation protests in Seattle in 1999. So companies and business leaders need to know who their enemies are, and ensure that they are not being funded somewhere in the corporation. This requires an understanding of the politics, funding linkages and interconnections between organisations on the left.

Companies should not provide support for enemies of the market and business; nor should they legitimise their views or their claims (generally unwarranted) to represent ‘poor people’, ‘civil society’ or ‘the environment’.

Companies need to think carefully about participating in UN or other multi-lateral institutions or initiatives that give undue influence to unrepresentative NGOs, or place a few corporate executives in positions where they supposedly ‘represent’ business. One has to understand that, for many activists, politics and public policy issues are a full-time career, whereas for chief executives this is not the case. The

politics of international NGO survival and their need for sensational campaigns needs to be taken very seriously indeed.

... but identify and support your friends

Companies and business organisations need to identify and support ‘market-friendly’ voices in global and national policy arenas. Business needs to help ensure that these voices are heard much more loudly than before in international and national institutions and fora. Companies can ensure that they have the funds they need to maximise their contribution to a hopefully growing orchestra of pro-market institutions speaking up for business and its positive role in society.

Don’t play alone. A more sophisticated approach to ‘selling’ the positive role of companies in society does not mean that companies or business leaders should do this on their own. Business should enlist other interests in issue-based coalitions, and strengthen pro-market forces, institutions and individuals. The business sector in a given country should think strategically about how all the ‘arrows in their quiver’ can be used to influence the general business environment, or particular policy issues.

So eight different strategic thrusts have been presented that could start to tip the balance in the battle of ideas about business and society. This raises the question as to how this would play out in a country and perhaps a regional context.

A national business agenda

Different countries have different needs and priorities. The prevailing politics around business and its social role will also differ considerably.

The first requirement is a strategic overview of a country’s economic and political prospects. Within that framework, one needs to develop a national business agenda whose main elements will vary from country to country, depending on their levels of political and economic development, as well as their particular cultural and historical trajectories. However, whatever priorities emerge from this strategic overview should be pursued in a broadly similar way, whatever the national context.

The national business agenda in any country will need to be coupled with effective implementing institutions based on effective business organisations. Business and its allies should strive to change general perceptions of and attitudes to business and its social role through strategic initiatives involving education and the media.

Companies and business organisations should be clear on appropriate roles and relationships involving the state – national, regional and local – and markets. Companies active in developing countries should think about establishing specialist organisations to help governments become more effective in certain areas – such as combating crime, or education and training – that are vital for business. They should also think about how to introduce information and new ideas about business and national development into public debates.

Companies need to think carefully about their role in policy reform and social change, and reflect on business successes and failures in influencing policy, both in that country and globally. Business leaders need to develop strategies on how to engage in public debate and influence the terms of that debate, as well as how to handle interaction ‘behind the scenes’ with government, and how best to marry the two. The delicate balance between ‘the helping hand’ of companies and the need to talk truth to power needs careful thought and management. Where corporate malfeasance is discovered, business leaders and organisations need to speak out quickly and clearly, spelling out the desired approach by companies. For example, when companies are found guilty of anti-competitive behaviour, it is important that corporate leaders do not keep quiet, thus giving the appearance that they only speak out when it is government policy or actions that need fixing.

Concluding remarks

There is a global battle of ideas about business and its role in society. In this theatre, many business leaders have been less than effective. Instead of using their influence and resources to argue the case for business, they have been defensive and inept and have allowed others to determine the terms of debate.

They have hoped that if they keep their heads down they will be left alone. When that has not worked, they have adopted the language and many of the ideas of their opponents, and accepted a wide range of extraneous responsibilities as though what they do every day is harmful and needs recompense.

The battle for capitalism is ongoing and the contest over globalisation is entering a difficult period. If the largest companies in the world and the organisations they fund will not stand up for global markets, then who will? Or will they wait until the wolf is at the door?

Sociologist Peter Berger argues that capitalism as an institutional arrangement has lacked plausible myths – that market economies do not generate the ideas and images that inspire people to undertake acts of commitment and sacrifice. By contrast, socialism (or the left more generally) has been blessed with myth-generating potency. It has all the best slogans, T-shirts, and songs! He concludes that ‘capitalism has a built-in incapacity to generate legitimations of itself and it is particularly deprived of mythic potency; consequently it depends upon the legitimating effects of its sheer facticity, or upon association with other non-economic legitimating symbols’.¹²

In this context, business leaders need to stand up for the market economy. They need to participate, vigorously and confidently, in the battle of ideas about business and ‘the good society’. They have a direct interest in this and in reshaping the framework within which the conversation about corporate citizenship and the role of companies in contributing to the public good is conducted.

The debate about corporate power and responsibility is vital because it bears on

the role of market dynamics in the world economy and individual nations, the place of business organisations within the market, the relationship of both the market and business organisations with politics, the nature of development and modernisation, the best route out of poverty, and the relationship of all of this with the global community.

We need a new framework and a different, more positive language for describing the contribution of business to social progress. A different lens is required to bring into focus the contribution of large multinational corporations in developing countries which, in turn, illustrate the broader role of business in all societies; and to think about the rights and responsibilities of corporations in the twenty-first century.

Business leaders and their advisers need to build a more compelling, positive and exciting set of ideas within which to locate companies as a part of the civil world. This means they need to stand up for business, stand up for globalisation, and stand up for markets and market-based approaches to dealing with poverty and development.

Only when we have such a framework will it be possible to correctly situate business misdeeds as aberrations rather than symptoms of the evil nature of corporations. It is vital to explore the development problematic and place business, markets, civil society and state actors within this frame, ensuring that the discussion affirms rather than undermines markets and is developmentally sensible and economically rational.

Notes

- 2 Bernstein, A. and Berger, P.L. (eds). 1998. *Business and Democracy: Cohabitation or Contradiction?* London: Cassell Academic: 6.
- 3 McCraw, T.K. 2007. *Prophet of Innovation: Joseph Schumpeter and Creative Destruction*. Cambridge, Massachusetts: The Belknap Press, Harvard University Press: 351.
- 4 Davies, R. and Nelson, J. 2003. *The Buck Stops Where? Managing the Boundaries of Business Engagement in Global Development Challenges*. IBLF Policy Paper No. 2. International Business Leaders Forum: 7.
- 5 Theil, S. 2008. Europe's school books demonise enterprise. *Financial Times*. 8 January.
- 6 Ibid.
- 7 Nichols, N. 2002. *Rules for Corporate Warriors: How to Fight and Survive Attack Group Shakedowns*. United States of America: Free Enterprise Press.
- 8 Bernstein, A. 2010. *The Case for Business in Developing Economies*. Johannesburg: Penguin: 348.
- 9 Ibid., pp. 177-109.
- 10 Miller, J.J. 2006. *A Gift of Freedom: How the John M Olin Foundation Changed America*. Lanham, Maryland: Encounter Books: 37.
- 11 Poole, W.T. 1982. *The Environmental Complex: Part III*. Washington, DC: The Heritage Foundation. June.
- 12 Berger, P.L. 1986. *The Capitalist Revolution: Fifty Propositions about Prosperity, Equality and Liberty*. New York: Basic Books: 208.

Democracy without a choice? Interest groups, advocacy and political behaviour in Namibia: A warning for South Africa?

Henning Melber

'The system is a joke' – (Elemotho)

The Ovamboland People's Organisation (OPO) was formed in the 1950s as a grassroots response to South African occupation and its Apartheid labour conditions that affected migrant workers from the most densely populated northern part of then South West Africa. In 1960, the movement transformed itself into the South-West African People's Organisation (SWAPO)¹ and rallied support from Namibia's colonised majority under the banner 'Solidarity, Freedom, Justice'.

Equally important, SWAPO's international backing, especially from the non-aligned movement and the Soviet bloc, further consolidated its status as the exclusive agency of anti-colonial resistance. Although unable to influence the UN Security Council's hesitant posture (as promoted principally by various Western states), those in support of the anti-colonial liberation movement made their voices heard as member states in the General Assembly. Indeed, by the mid-1970s, a UN resolution recognised SWAPO as 'the sole and authentic representative of the Namibian people' – a sanction that buoyed the movement's slogan 'SWAPO is the people and the people are SWAPO'. This, in turn, spawned the ominous concept that SWAPO is the government and the government is the state – implying that SWAPO itself is the state and therefore has the sole power to define who is entitled to be a true Namibian based on his or her loyalty to the party.

At the first congress in independent Namibia, held from 6 to 12 December 1991, the former liberation movement officially changed its status and re-defined itself as a political party. As the new Constitution declared in its Article II ('Definition'):

SWAPO PARTY is a mass based political Party born and selected in the crucible of a popular and heroic struggle for national independence. It is founded on the principles of democracy, solidarity, freedom, social justice and progress.²

This chapter seeks to explain why the growing discrepancy between political programmes and social realities in Namibia has not yet changed either the political culture or the composition of those controlling the public sphere.³ It will examine the state of SWAPO's one-party dominance since gaining independence and the absence of any significant counterweight through opposition political parties. Further,

following a summary highlighting the contrast between political promises and social realities is a cursory analysis of the current debate on social policy related priorities. Finally, a short conclusion reflects on the Namibian experience focusing on why a dominant party in political power can or cannot meet the expectations created by issue advocacy campaigns.

Ultimately, the chapter is a warning for South Africa and its nascent democracy.

One-party dominance in practice

In November 1989, the UN supervised the general elections for the Constitutional Assembly (which became the first National Assembly on independence in March 1990). The elections saw the erstwhile liberation movement secure an absolute majority, effectively sealing its control over a sovereign state. Since then, the National Assembly elections (conducted together with the presidential elections) in late 1994, 1999, 2004 and 2009 have consolidated SWAPO’s political hegemony. In 1994, the party turned its absolute majority of votes obtained in 1989 into a two-thirds majority. Their support expanded during the last three elections between 1999 and 2009 to around three-quarters of the votes, while the opposition parties in various degrees lagged behind (see Table 16.1). The opposition’s dismal performance testifies to the weakness of any meaningful political alternatives to the liberation gospel successfully cultivated by SWAPO.

Table 16.1 Parliamentary election results 1989–2009 for the bigger parties

(Absolute number of votes and percentage)⁴

Party	1989	1994	1999	2004	2009
SWAPO	384 567	361 800	408 174	620 609	602 580
%	56,90%	73,89%	76,15%	75,83%	74,29%
DTA	191 532	101 748	50 824	42 070	25 393
%	28,34%	20,78%	9,48%	5,14%	3,13%
UDF	37 874	13 309	15 685	30 355	19 489
%	5,60%	2,72%	2,93%	3,71%	2,40%
COD	–	–	53 289	59 464	5,375
%	–	–	9,94%	7,27%	0,66%
RDP	–	–	–	–	90 556
%	–	–	–	–	11,16%

Observers agree that the Namibian democracy since independence bears all the traces of a dominant party system. For Gretchen Bauer and Christiaan Keulder, ‘Namibia is clearly a dominant party state’,⁵ while Andre du Pisani and William Lindeke⁶ refer to an ‘established dominant-party system’ and to ‘a multi-party democracy with a dominant party and a weak, fragmented opposition’.⁷ Lindeke⁸ describes the democracy as a ‘successful one-party dominant state system’. Others like Phaniel Kaapama are more sceptical, expressing concern that the ‘problems with institutionalising a viable multi-party political system in Namibia are exacerbated by the move towards a one-party dominant state’.⁹ Clearly, from the mid-1990s a political system emerged with all the characteristics of a dominant-party state under increasing autocratic rule.¹⁰ For Pierre du Toit,¹¹ since 1994 the erstwhile liberation movement had secured the position of an ‘electorally dominant party’, which was ‘well positioned to establish a “cycle of dominance”’. Indeed, no opposition party could establish itself properly with a long-term position, as a relevant political counterweight should.

SWAPO was never seriously challenged – even though the newly formed parties of the Congress of Democrats (CoD) in 1999 and the Rally for Democracy and Progress (RDP) in 2007 were mainly the results of internal party differences and initially appeared to be political alternatives emanating from within the former liberation movement. Represented by contestants with ‘struggle credentials’ who previously held political offices in SWAPO, the CoD and the RDP emerged as a new element in domestic politics. They became, for some, a welcome alternative to the entrenched system of entitlements linked to the first-generation SWAPO officials. But in the eyes of SWAPO, if not the public at large, they were accused of being provocateurs, neo-imperialist pawns, traitors, prophets of doom or simply misguided elements.

Yet they have not managed to reduce SWAPO’s dominance in any significant way. Based on official figures, the following overview for the oppositional votes cast in parliamentary elections since independence document its largely unchanged weakness despite a fluctuation of political parties representing the official opposition. This in itself, based not least upon the lack of meaningful alternatives these parties represent, is a significant contributing factor to the continued dominance of the former liberation movement.

Table 16.2 Opposition votes in National Assembly elections¹²

Year	Total votes	Opposition votes	Percentage	Seats (of 72)
1989	680 787	286 263	42%	31
1994	497 508	127 836	26%	19
1999	541 114	127 862	24%	17
2004	829 269	197 830	24%	17
2009	811 143	197 987	25%	18

Loyalty to Namibia equates to loyalty to SWAPO. A critical assessment concluded in the mid-1990s that the legacy of colonialism and the struggle against foreign rule produced a 'psychosis of fear ... permeate[s] ... Namibian society'.¹³ A culture of silence has since become a constitutive part of Namibia's political reality, where 'good patriots' do not criticise. As one of the few independent-minded Namibian scholars observed:

SWAPO has shown over the years a desire to establish a permanent relationship with the state machinery in order to protect itself, and thereby entrenching its hegemony in the allocation of resources. [...] These actions ... compromise the very integrity and essence of the constitutional state that ought to be nurtured because it places the political party above the nation it ought to serve. The monopolistic party has reduced the formal institutional processes of government to a mere appendix at the whims of a factional political elite.¹⁴

Government and opposition

The plural, multiparty character of Namibia's political system contrasts with the lack of substantive political-ideological differences among the major parties. As a detailed and systematic comparison documented: 'Ideology itself does not seem to play a large role in Namibian politics.'¹⁵ An analysis of the economic programmes of the various parties reiterates that 'there is fundamentally little to distinguish between the ruling party's economic policies and those that would be pursued by the opposition parties'.¹⁶ Justin Hunter¹⁷ confirms this phenomenon stating that 'Namibia's main parties remain broadly centrist, and could be seen as more pragmatic and less ideological in nature.' Kaapama¹⁸ reaches the same conclusion: 'Looking at the party manifestos, [...] perhaps Namibians are even more extravagant than the Americans, in the sense that they are presented with nine parties to choose from, but their policies are not significantly different.'

As Joseph Diescho observed almost a decade earlier:

One of the strengths of SWAPO is its ability to appear to transform itself from a non-democratic, authoritarian, top-down organisation to a democratic, participatory organisation while essentially remaining the same. It is this style of political chicanery that makes it very difficult form opposition against SWAPO. In this context SWAPO owes its resilience more to a lack of challenge than to its own strength.¹⁹

It would therefore be somehow unfair and too one-sided 'to lay the burden of democracy on only the Government itself'.²⁰ One of the most prominent businessmen of Namibia observed self-critically that neither churches nor the private sector 'are, in fact, sufficiently aware of their duty and still less it seems willing to do their duty

of speaking up on matters appertaining to maintenance and preservation of moral, ethical and social values and standards'.²¹ Similarly, the organised labour movement surrendered its autonomy in favour of a close affiliation to SWAPO and cooptation into the political establishment of the new state.

Given the relatively high degree of press freedom and the impressive number of independent and politically alert media (at least in the print sector), the ruling party's dominance does not excuse the absence of any meaningful debate. The lack of adequate public media coverage is at least as much the failure of the opposition parties and other civil society actors to provide meaningful news stories of political substance. Even the state-owned daily newspaper *New Era* offers remarkable space for coverage of government-critical views and conflicting positions within the dominant party. Therefore, there is sufficient arena for articulating dissenting views – although at some physical and/or material risk.

Since state agencies or related institutions under the political influence of the new elite employ most Namibians, any individual who articulates their dissent risks their livelihood to do so. This effectively compromises any issue advocacy work civil society campaigns for, especially if the campaign opposes the hegemonic power structure in place. Therefore, as Keulder²² warned, the ethnic-regional based opposition parties combined with civil society's relative political passivity produced 'the very familiar African scenario of politicised ethnic identities, monocratic and highly personalised rule with no or very little opposition from the private sphere and a large-scale disengagement of a disillusioned citizenry from the political arena'.

In 2002, more than a decade after independence, a survey of Namibians aged 18 to 32 concluded that, 'Namibia does not have sufficient young Democrats to make the consolidation of democracy a foregone conclusion.'²³ Furthermore, the same statement appeared in a follow-up study adding that 'Namibians are high in partisanship and low in cognitive skills'.²⁴

This touches on aspects of what could be termed the authoritarian character, resulting from the oppressive systems of both the settler colonial structures as well as the hierarchy of the anti-colonial movement in exile. It is, therefore, not too surprising that the Afrobarometer Network, in a compendium of public opinion findings based on three surveys conducted in 18 countries between 1999 and 2006, concluded that '... Namibians appear to be the most deferential to their elected leaders.'²⁵ In 2006, another comparative survey of 12 African countries revealed that, after Ghana (70 per cent), Namibians recorded the second-highest degree of satisfaction with democracy (69 per cent) – this against an average of 45 per cent in the other countries surveyed. But in striking contrast, the support for multiple political parties dropped between 2002 and 2005 with 57 per cent to the third lowest rank – below the average of 63 per cent.²⁶ Given the attitudes among its citizens, an Afrobarometer national survey classified Namibia as 'a democracy without democrats'.²⁷

From promises to realities

The Political Programme adopted by the SWAPO Central Committee in 1976 in Lusaka stated that the movement's present and future tasks included uniting 'all Namibian people, particularly the working class, the peasantry and progressive intellectuals into a vanguard party capable of safe-guarding national independence and of building a classless, non-exploitative society based on the ideas and principles of scientific socialism'.²⁸ It further elaborated that 'the economic reconstruction in a free, democratic and united Namibia will have, as its motive, the establishment of a classless society. The social justice and progress for all is the governing idea behind every SWAPO policy decision'.²⁹

The revised Party Constitution adopted after independence reiterates the socio-economic goals in modified, ideologically toned-down language stating, in Chapter B, among its aims and objectives:

(9) to fight under development, poverty, illiteracy and disease;

(10) to promote accelerated economic development and to create a balance and interlinkages between the primary and the secondary sectors of our economy in order to promote self-reliance and the upliftment of the standard of living of the vast majority of the Namibian people.³⁰

But post-independence statistics speak a sobering language when it comes to the absence of any social policy, which could be seen as a serious effort to transform inherited inequalities, assuming that social justice means improving the quality of life for the overwhelming majority of the people.

An official Household Income and Expenditure Review published towards the end of 2008 by the Central Bureau of Statistics revealed that almost one third of the country's two million people lived on US\$1 or less per day.³¹ The report also noted a sharp rise in households classified as 'severely poor', that is, living on less than US\$20 per month. The same survey found that one fifth of the population has a share of 78,7 per cent of the country's total income, while another fifth has to survive on 1,4 per cent of the country's annual income. Namibia ranks among those countries with the biggest income gaps in the world and the highest discrepancies in the distribution of wealth. Supposedly, the average income per capita grew slightly, even among the poorer segments of society. However, when measured against the cost of living and the lack of basic social services, as well as other criteria contributing to the Human Development Index, the overall trend is negative. As an UNDP-affiliated economist concluded, '... over time income poverty appears to be decreasing while human poverty is increasing.'³² According to official figures released in 2010, the unemployment rate has crossed the 50 per cent mark.

The numbers of ordinary Namibians who are destitute and battling to make a

living are visibly growing and living conditions among the marginalised are similarly deteriorating. The situation has sparked alarmingly high rates of suicide, rape and murder, domestic violence, child abuse and other forms of aggression. Baby dumping and infanticide have become almost the order of the day.³³ Sex workers are mushrooming out of sheer necessity to obtain daily food. Girls reportedly sell their bodies from the age of 11 for as little as N\$10.³⁴ And homeless kids roam the streets of the urban centres. Such features of social anomaly were originally not associated with independence.

This reality contrasts sharply with the statements quoted from SWAPO's Political Programme. It suggests that present-day Namibia is quite another country from the one the movement – as guided by promises of 'solidarity, freedom, justice', reiterated as the party's official motto in its revised Constitution³⁵ – wanted to lead 'towards the abolition of all forms of exploitation of man by man'.³⁶ Instead, Namibia's socioeconomic landscape was reconfigured using political power and vehicles such as 'Affirmative Action' (AA) and 'Black Economic Empowerment' (BEE) – a redistributive strategy that coopts a new elite into the old socioeconomic structures.³⁷ As underscored by André du Pisani³⁸, 'national reconciliation' of such a class character could only be 'an elite discourse bent on maintaining the legitimacy of the state and responding to the inherent contradictions that characterise SWAPO's [own] anti-colonial discourse'.

In fact, the new terminology ordinary Namibians created in response to these sobering realities refers to this new species as the 'fat cats'. For it is common knowledge that, in the name of 'national reconciliation', this new political and bureaucratic class uses its access to the country's natural wealth to appropriate public goods and state property for personal gain. SWAPO has used a nationalist discourse, which has operated through an aggressively crafted version of 'patriotic history', to endorse this appropriation strategy and its claim to be the only legitimate representative of 'the' Namibian people. Permitting no distinction between its role as party, as government and as state, SWAPO has stressed, since independence, the notions of peace and stability. According to a government official, himself a beneficiary of this form of 'Black empowerment redistribution', politics and economics are close bedfellows but clearly not about any meaningful kind of social reconstruction: BEE is quite simply about 'empowering individuals who have business ideas and need information and capital to take off'.³⁹

Therefore, analysts were understandably curious, if not keen, to see if voter behaviour might change two decades into what could be classified as failed promises. After all, for the first time a considerable number of young voters were able to express their preferences. During the pre-election build up, these 'born frees' were an 'unknown variable' because they constituted a sizeable constituency that was capable of influencing the election's outcome. According to an Afrobarometer survey conducted in late 2008, SWAPO's appeal among younger voters (18 to 34 years)

underperformed. The party's core support remained primarily with 'older, rural and respondents with less education, especially from the north-central areas', while 'urban, female and younger voters represent a growing challenge for the ruling party in terms of party closeness or identification'.⁴⁰

However, the 'born frees' seemingly did not play any decisive role in changing the voting pattern. In the absence of any reliable exit surveys or other empirical data, the bare observations suggest that the 'born frees' showed no markedly deviating voter behaviour from other segments of the electorate. Indeed, voter turn-out seemed evenly distributed and the votes cast did not indicate any strong age-related characteristics. In recalling her grandfather during her childhood days in the rural north, one young voter explained:

Today he lies peacefully in his grave alongside a tarred road that does not witness the darkness I was so terrified of during my village-life experience. My people in that former little village of Bukalo are now building on plots of a declared settlement that harbours two secondary schools within five minutes' walk from each other. For every visit home, I see no sight of any teenage girl walking long distances to a waterhole. I drink clean ice-cold water from almost every home in this growing settlement. That means our tax dollars have been invested in building, rebuilding and upgrading our nation's infrastructure, improving our children's education and the livelihood of our communities. A vision was set, thus my choice was finally made because I want to see history being made for the reference of the current generation. This is for my grandparents and all of my family that came before them that did not live to see how far our country has come. I want to see the struggles and sacrifices that they made honoured. Today I voted in an environment where all Namibians from different backgrounds were able to shake hands in a voting queue and use those long hours to share their humour without looking at each other with questioning eyes.⁴¹

Such perceptions are part of Namibia's present social reality and it was no surprise that the 2009⁴² election results confirmed SWAPO's hegemonic status despite the RDP's claims and expectations that it would be a serious contender. Although these results are being contested in court, they prove that little has changed – the fundamental political power relations for the current five-year legislative period remain intact. None of the seasoned observers has to date expressed, despite the legal interventions pending,⁴³ serious doubts that SWAPO is the undisputed political representative of the majority of the Namibian people.

In light of a never-strong opposition and even before the formation of the RDP, Kaapama concluded:

One obstacle in the way of democratic consolidation is the present weakness of civil society. ... In addition, a weak opposition has contributed significantly towards one-

party dominance. While a strong opposition would contribute significantly to the consolidation of democracy, it is difficult to see a viable multi-party political system emerging in Namibia any time soon. A continuation of one-party dominance could impact on the character and resilience of Namibia's democracy.⁴⁴

To modify a proverbial expression, one needs to remember that reality lies in the eyes of the beholder. Strikingly, and in contrast to all the critical observations presented above, the latest Afrobarometer survey undertaken at the end of 2008 offered the following insight: Namibians 'are among the most satisfied populations in African democracies in terms of how democracy works in the country'.⁴⁵

Destitution and the BIG debate

A recent Namibian debate around a Basic Income Grant (BIG) bears the promise of something a bit different, however. Indeed, BIG has launched a significant symbolic discourse about the current government's social policy priorities. The BIG initiative is a campaign spurred on by a church and labour movement alliance in collaboration with like-minded NGOs. Together they raised money from donors and piloted the project in a selected (and quite destitute) village paying a monthly cash allowance of N\$100 over the last two years to each individual resident there. The campaign hopes to convince government that, in the absence of any other meaningful alternatives, the BIG initiative will temporarily contribute to empowering local communities.

Yet since its inception, BIG has produced an almost knee-jerk response that ridicules such financial upliftment proposals as naïve justifications for free rides for those who do not really want to earn a decent living by working with their own hands.

Indeed, when President Hifikepunye Pohamba delivered his State of the Nation address in Parliament in 2010, he was asked about his views on BIG and on the attendant demands that the Namibian government should introduce a generalised BIG for all Namibians. His position was to dismiss BIG as a form of exploitation of those who are able and privileged to earn their living through work, which provides them and their families with a salaried income, while their taxes are used as payouts for others.⁴⁶

As a result, in July 2010, the National Union of Namibian Workers (NUNW), a SWAPO-affiliated umbrella body, surprisingly announced that it had abandoned the BIG coalition. The NUNW President, in a press conference, cited a lack of creative ideas to address poverty as the reason for this move. However, he failed to offer any substantive proposals. He merely emphasised that the need to reproduce wealth would be almost impossible if money were handed out to individuals for free: 'We'd rather suggest that instead of giving out N\$100 to everyone each month, Government should be pushed to make it easier for equity participation by Namibians in local companies.'⁴⁷ In Namibia, it seems, such efforts are dismissed by those who seem to care more about

securing and advancing their own privileges than showing empathy with the plight of ordinary people. As a result, the fat cats (species *Namibiana*) prosper and advance, while frustration grows.

Of course, BIG may not be, in and of itself, the best answer to Namibia's structurally rooted inequality and destitution. However, it at least tried to create a minimum standard of living for all Namibians. It attempted to create an environment where the excluded could master their own living conditions with some degree of dignity and self-respect. In the meantime, the controversy around BIG has provoked public debate about service delivery and the plight of the poor.

For example, the *Windhoek Observer*, in its 22 July 2010 issue, titled its editorial 'Let them eat cake' (intending to invoke Queen Marie Antoinette's alleged flippant remark about the protesting masses who, during a famine, demanded bread). The 6 August 2010 editorial in the state-owned *New Era* urged government to 'find amicable solution to BIG'. These indicate that the official responses to the BIG initiative lack the degree of social awareness one expects from the political leaders in this country, who claim to act in good faith and the public interest. In addition, the public have expressed similar doubts through text messages, readers' letters in the print media, and posts on the SWAPO Party website. Interestingly, delegates at the NUNW's national congress tasked the newly elected leadership to rejoin the BIG coalition because it is a meaningful effort to reduce poverty among Namibia's most destitute.⁴⁸ As an 'SMS for the day' in the local daily *The Namibian* ahead of the local elections in late 2010 commented:

We are tired of voting for people who cannot deliver. This country is getting worse. To fellow voters, I think the time is ripe for us to take off our political party clothes and vote for candidates who can deliver. This is the only way we can prosper like developed countries did. Time for being fooled is over. We voters, especially the youth, are the agents of change. Let's use our constitutional rights to save our beautiful country from stagnation and destitution. I also want to encourage independent candidates in future elections.⁴⁹

The future of democracy: A warning for South Africa?

Frustration within SWAPO over the lack of delivery (and not because of personal loss in internal factional power struggles) has not yet reached a level that would threaten the movement's hegemony at the ballot box. This might be because there is no meaningful and credible political alternative. Based on the liberation gospel and its subsequent forms of patriotic history, SWAPO has so far managed to retain the image of being the sole liberator of the Namibian people.

Its legitimacy remains effective even at a time when the first generation of 'born frees' are casting their vote at the polling stations. As Lindeke and Shejavalu⁵⁰ suggest,

Namibia's performance in terms of multiparty democracy can be considered in comparison relatively successful, 'yet it remains difficult to know whether this is the result of "democracy", SWAPO leadership and ideas, or the more general Namibian conditions that prevail in this particular historical setting'. As another observer with intimate knowledge concludes: 'The supply of democracy in Namibia seems to outstrip the demand of it.'⁵¹

The party's dominance allows it to use (if not abuse) the state institutions for its consolidation and to apply democracy in a way that strengthens SWAPO. The state's financial support of the party is a case in point, as is the party's access to the state-owned and -controlled media. However, SWAPO's strength also shows how weak political alternatives are in the absence of a convincing opposition. Politicians active in other parties largely share the same mindset to those currently in political power and control. They therefore do not represent a meaningful challenge to the dominant discourse but seem to offer more of the same. In the absence of any genuine alternatives, voters will continue to render support to the devil they know.

Therefore, the biggest risk for the country's political stability will not come from any well-organised opposition that is able to reduce SWAPO's dominance because of the political alternatives it offers. Rather, the main risk will be the lack of delivery under a former liberation movement, which is neither able nor willing to meet the expectations of a better life for all, but instead seeks a better life mainly (if not exclusively) for those who are members of or close to the new political elite.

'The system is a joke,' sings Elemotho GR. Mosimane on his first CD released in 2000 under the same title. 'Don't you see, the system is a joke, all they feed us is Coke. Please don't bother your soul, we're moving in circles, such, such a circus.' Such lyrics might not be poetic but they do express a social reality. This might undermine the legitimacy of those executing political power, as well as a democratic system, which do not deliver in material terms to the overwhelming majority of people, who happen to also be voters.

Lack of delivery on national, regional and local levels of society is increasingly associated with policy failures by the political party in power. SWAPO is – in line with the party members' own understanding – in the eyes of the majority of voters synonymous with the government and the state. If the state fails to deliver, the political party in power fails. As a posting on the party website blog warned ahead of the local and regional elections towards the end of 2010:

cdes, I just have a concern over services rendered through municipalities and/or town councils. Of late, we heard of electricity cut down at okahandja for example, and other towns being warned. What seems to concern me is why are this towns not paying their bills on time? Why is it happening during this time when the elections are just next door? I otherwise have to say some of this guys are trying to jeopardise everything that all through SWAPO is not good. This town councils must really shape up or else ship out.⁵²

Associating this lack of delivery with political office bearers and the party puts the social contract in question because the erstwhile liberation movement campaigned for the electorate's support. Liberation from Apartheid colonialism promised material improvements for the majority of people and a better quality of life, if not for all, then at least for most of the previously marginalised. The 'liberation gospel', which so far has provided the ultimate legitimacy for SWAPO by securing its unchallenged and undisputed political hegemony, shows some wear and tear. But its expiry date is nearing as the personal memories of the fight against settler minority rule and the humiliating living conditions under Apartheid fade away. What remain are the current humiliating living conditions for which SWAPO and its government are responsible.

The voters are showing signs of irritation and their frustration with the 'fat cats' self-enrichment strategy and affirmative action are growing. However, these have not yet reached boiling point because they have no viable outlet – in the absence of credible political alternatives the only option is to abstain. But they are a warning for those who are responsible for delivery.

Notes

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For authenticity the original spelling has been retained.

Conclusion: Cause for study

Heather A. Thuynsma

In more developed democracies, such as in the US and Germany, there is an obvious relationship between public opinion, interest groups and public policy formation and implementation. As Mike Wolf and Siegmund Schmidt show, this relationship persists despite the public's inherent distrust of interest groups and their advocacy agenda.

Although the majority of the authors in this book find that South African interest groups do not promote the public's opinion, they do recognise that this situation can be reversed and some even offer a few specific pointers. For instance, Rick Farmer, Jason Johnson and the other authors in Part 3 have outlined and illustrated how South African advocacy groups can manage successful campaigns that not only lobby government officials, but also inform stakeholders about public policy and its implementation.

The first hurdle, however, is to overcome the current legislation governing campaign finance and lobbying. Clearly, the current system favours the ruling party and, given the ANC's overwhelming majority in the National Parliamentary legislature, amending these laws will require a multifaceted campaign that could, like the ARV and the CSG initiatives, sway a majority of ANC decision makers. Fortunately for campaign reformists, the ANC seems to realise the effect money has on the political system – especially since unregulated funding has strained its own party cohesion.¹

Indeed, the ANC's September 2010 National General Council meeting was scheduled to have a 'frank discussion' about how money is used to elect leaders within the ANC.² The discussion was sparked by the document entitled *Leadership Renewal*, which is essentially a revised version of Joel Netshitenzhe's³ 2002 report entitled *Through the Eye of the Needle*. Both documents discuss the 'mechanical deal-making' that elects leaders to strategic positions at national, provincial and local levels. *Leadership Renewal* also outlines how recent ANC elections have relied on the previously prohibited tactic of lobbying for one's own political ambitions instead of discussing the various qualities of each nominee.

It is a matter of profound cultural practice within the ANC that individuals do not promote or canvass for themselves. Historically, this has justifiably been frowned upon as being in bad revolutionary taste. One of the main reasons for this is that when cadres of the movement do their work, this is not meant to be with an eye on leadership positions or some other personal reward; but to serve the people.⁴

Essentially, the document's findings forced the party's executive council to question how much money lobbying for personal political self-interest was needed and how members were able to raise this kind of capital. In the end, to prevent the disrespectful and disruptive behaviour prevalent during the 2007 Polokwane conference, *Leadership Renewal* proposes prohibiting a number of activities including the raising and using of funds and other resources to campaign for election within the ANC. It also wants to bar the following: T-shirts, posters and other paraphernalia that promotes candidates; promising or withholding positions to ensure support; attacking the integrity of candidates within and outside the party structure; supporting or opposing candidates in the media; and prohibiting structures outside the ANC from nominating or lobbying for candidates.

Any transgressions, the report warns, could lead to disciplinary action, meaning 'disqualification as a candidate or delegate, expulsion from the meeting as a candidate or delegate or observer or guest'.⁵ In addition, heckling, suppressing legitimate dissent and any misconduct from observers and/or guests will no longer be tolerated during party meetings.⁶

Perhaps now, driven by its political will, the ruling party will seek – and campaign reformists will push – to enact finance measures that go beyond the ANC.

The Department of Political Sciences at the University of Pretoria is one of the few South African higher education institutions to study and teach aspects of campaign craft. And given this book's introductory nature, there are still several areas that require some careful thought and research.

For instance, South African advocacy politics tends to be reactive instead of proactive. When not pursuing public litigation, activists rely on public protests and other disruptive techniques that seem to hold the government to ransom. While this is apparently the only way in which South Africans can voice their issues, it does make the country's democracy appear intolerant and combative. Perhaps this rigidity is an Apartheid legacy as Paulus Zulu seems to think, and perhaps it is simply a trait of the ANC's struggle and liberation character as Gerhard Wolmarans believes. Either way, the system entrenches a sense of mutual mistrust and encourages leaders who are politically aloof, instead of openly engaged, which is going to be very hard to redress. Therefore, understanding how to promote a more proactive system deserves further study.

As South Africans practise democracy, they are becoming better informed and sophisticated and, as the recent service delivery protests prove, are trying to hold the government accountable for tangible results. Indeed, interest groups of all stripes need to raise the following questions: whether government policies, programmes and projects have yielded tangible results and outcomes; whether current initiatives are appropriate and/or adequate; if there are any other alternatives; what problems/challenges hinder these initiatives and their implementation; and whether progress can and has been measured.

Unfortunately, South African interest groups are struggling to define, and therefore fulfil, their democratic role for a variety of reasons. For instance, as Lorenzo Fioramonti⁷ found, South African civil society's traditional advocacy tactics such as rallies, defiance campaigns and streets protests are outdated. In addition, with 17 years of relative stability, South Africa has shifted from international political attention, having convinced many – foundations and bilateral donors included – that the country's democracy is secure. Moreover, interest group leaders who once actively opposed Apartheid and its injustices, now hold prominent positions in the government or private sectors. Without their oversight, many people have lost their champions and the promises, routinely spouted election after election, remain just that. Like this book, Fioramonti concludes that South Africa's new democratic system requires a new set of skills – learning the art of advocacy and practising the craft of lobbying.

South Africa desperately needs interest groups to realise their new purpose and consolidate democracy. These groups need to make the public aware of key social issues; learn how to design sound policy and lobby for its adoption; ensure new and unheard constituencies can access and participate in the policy-making process; foster government accountability; exude democratic values and ethics; and teach civic skills and forge a sense of community attachment.

This volume only analyses South African interest groups in general terms. It does not evaluate individual spheres (such as the Constitution and Human Rights, the role and successes of the Chapter 9 institutions, policy flexibility and legislative power at the various levels of government, voter and civic education that teaches respect and responsibility, and service delivery and social services) or compare the work done in and across these fields. Therefore, an in-depth analysis of these areas that also proposes new strategic steps that can be measured for the change they achieve and regularly evaluated, would certainly be useful.

In addition, you will also notice that this book does not specifically study effective communication techniques of and for South African-based advocacy campaigns. While various authors do mention how political campaigns and fundraising strategists can and do use the media, no author specifically maps out an effective communication strategy. Nor is there a tailored study that analyses the language, design and medium South African advocacy campaigns can use to communicate their specific message. This is because such a study does not exist – yet. As Collette Schulz Herzenberg, Robert Mattes and Wadim Schreiner observe, South African campaigns – whether they are political or advocacy efforts – have very little experience in campaign communication, especially when it comes to designing and airing television adverts. A campaign's communication tactics are a very important aspect of campaign planning, strategy and management, and any research that explores this area would be highly valued.

Clearly, the future of South Africa's democracy depends on interest groups and their ability to engage South Africans and shape their opinions and, subsequently,

public policies. The authors here have outlined some tactics that US and German interest groups have used successfully and, with some modifications, South African groups should find them useful. Whatever tactics groups eventually choose, Henning Melber's warning is clear: if interest groups continue operating in the same vein, South Africans, like Namibians, will inevitably end up with a political system that is a joke, rampant non-delivery, and frustration levels rapidly approaching boiling point.

Notes

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Public Opinion and Interest Group Politics

South Africa's Missing Links?

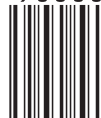
In more developed democracies, such as the US and Germany, interest groups both shape and promote public opinion. Regrettably, this is not always true in South Africa's nascent system. This anthology tries to understand why interest groups do not affect or advance public opinion in South Africa and then suggests how interest groups can redress the situation.



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